

Antiquité de Vertot & Anselm (R)
DISSERTATIONS *R*

By the Celebrated

A B B O T S

D B

VERTOT and ANSELM.

VIZ.

- I. An ENQUIRY whether the Kingdom of *France*, from the Establishment of that Monarchy, has been an *Hereditary* or *Elective* State.
- II. A DISSERTATION on the OATHS of the *Ancients*; under the following Heads: 1. By what Gods the *Ancients* were used to swear. 2. The different Ceremonies observ'd in their Oaths. 3. The Use they made of them in Civil Society. 4. Their Religious Observation of them. 5. The Horror they conceiv'd against those who openly violated them; or who, by captious Interpretations, pretended to evade the Force of them, &c.
- III. A DISSERTATION concerning the *Monuments* which supply'd the Defect of WRITING among the *First Historians*.

Done into *English* from the *Memoirs of Literature* of the *Royal Academy of Inscriptions and Belles Lettres* at *Paris*.

By M. PASCHOUD, Chaplain to the Right Hon^{ble} the Earl of ALBEMARLE.

L O N D O N :

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25043



of the following members of the family and their
 names are given:

BY JEP. ARTHUR, Chairman of the Right
to Life the End of Abortion

THE HOUSE OF REPRESENTATIVES

104001

THE END OF THE DAY, AT THE
 10:00 P.M. THE LIGHTS
 WERE TURNED OFF.



TO THE
RIGHT HONOURABLE
PETER Lord KING,
*Baron of Oackam, in the County
of Surrey ; Lord High Chancellor
of England ; and one of His Majesty's
Most Honourable Privy Council.*

My LORD,



THE Three Disserta-
tions I here take the
Liberty to dedicate
to Your Lordship, run upon
A 3 diffe-

different Matters, and contain some Things, that require Skill and Knowledge in *History*, *Critick*, *Philology*, *Divinity* and *Ethicks*. Now where could I find a better Judge of those different Sciences, than Your Lordship? And what better Patron could the Abbots VERTOT and ANSELM have chosen for themselves, than That to whom I have the Honour to address myself?

I want their great Parts, lively Genius, and eloquent Pens, to speak of the great
Merit

Merit of Your Lordship ;
 but I flatter myself, that
Plain - Dealing, Fidelity and
Veracity, Three Vertues most
 commonly ascribed to my
 * Country-Men, will make up
 the Want of the Three first
 Qualifications.

Therefore, I cannot for-
 bear saying, that when His
 Majesty was pleased to deli-
 ver the Seals of the Realm
 into the Hands of Your
 Lordship ; every Body ap-
 proved of that Choice : For

* The Switzers.

they very well knew that Your Lordship is not only an absolute Scholar, but also a most upright, incorruptible, and affable Man ; whose polite Learning and easy Access, do equally charm all those who have the Honour to approach Your Lordship.

But I must stop here, lest I should offend Your Lordship by the Recital of Your own Vertues. And I humbly beg of You, My LORD, to be pleased to accept of these Three Dissertations, as an Instance

Instance of the Desire and
Ambition I have to approve
myself,

May it Please Your Lordship,

Your Lordship's

Most Devoted,

Most Obedient,

Humble Servant,

PASCHOU D.

[18]

Instance of the Desire and
Ambition I have to approve
myself

May it please your Lordship

Your Lordship's

Alfred D. D.

16 AP 66

Alfred D. D.

Alfred D. D.



ADVERTISEMENT
OF THE
TRANSLATOR.



Y the Subject and Date
of the First Dissertation,
'tis visible that the Abbot
de Vertot compos'd it, in
order to open the Eyes of the French
concerning the Hereditary Succession
of their Monarchy. Most, if not
all, of them believe, that the Prince,
who

who is the nearest Relation of the late King, in a direct Line, must succeed him preferably to the other Princes of the Royal Blood, in a collateral Line ; And this they look upon as another Salick Law, and as an unalterable and irrevocable fundamental Maxim of State. Even their greatest Men and most famous Ministers of State are possessed with this Opinion : When the Allies, and especially the English, demanded at the Peace of Utrecht, that the King of Spain should renounce all the Pretensions he might claim on the Crown of France, &c. M. De Torcy, in a Letter to the late Lord Bolingbroke, says, “ All those Renuncia-
 “ tions were of no Use, as being
 “ contrary to the fundamental Laws
 “ and Maxims of France : Which
 “ do

“ do not permit any other Prince to
 “ be King, than he, who is the
 “ nearest Relation to the deceased
 “ King, in a direct Line.” But
 this Dissertation confutes and subverts
 all those Prepossessions. As for Ex-
 ample, and to improve, as I suppose,
 the Notions of our Author, the Abbot
 De Vertot : If the French King,
 Lewis the XVth, had happened to
 die (which I don't at all wish, for
 several good Reasons) this Disserta-
 tion demonstrates, that the Duke Re-
 gent might, and, by Virtue of King
 Philip's Renunciation, ought, to be
 King of France, preferably to the King
 of Spain ; and that in such a Case,
 those French Men, who had submit-
 ted themselves to him, had therein
 acted but agreeably to the antient
 Customs and Usages of the French,
 which

which were perhaps better than those pretended fundamental Laws so much talked of in these latter Times. And so this Dissertation might have saved a great deal of Blood and Expence.

In the Second Dissertation are contained such fine Principles and Examples, as might make most Christians ashamed. The greatest Part of the Jesuits, and other Abettors of loose Morals, will not find their Account therein. And I dare say, this Dissertation is fitter to render Men good and honest, than the foregoing one. As to the Third Dissertation, 'tis a curious Piece, and full of Learning.

I must not forget to inform the Reader, That if these Dissertations are approved of, I have yet by me several others,

others, which I will communicate to the Publick, and which, I dare say, will be found very curious and diverting. I have picked and chosen them out of the great Number of those, which are contained in the Memoirs of Literature of the Royal Academy of Sciences and Belles Lettres.

Little-Chelsea, Dec. 9.

1725.



[XV]

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Paris-Chelles, Dec. 9.
1725.





AN
ENQUIRY,
Whether the
Kingdom of *FRANCE*,
From the
Establishment of that Monarchy,
Has been an
Hereditary or Elective STATE.

By the Abbot DE VERTOT.

July 27. 1717.



UNDERTAKE to consider a Question, which has been often treated of by our most learned Criticks, and which has hitherto been the Occasion of various Opinions; but, according to my Mind, they may be reduced to Three Chief Ones.

According to the first Opinion, the *French* Crown has always been Hereditary in the Three Races. The Jurisconsult *Hotman*, in his *Franco*
B *Gallia*,

Gallia; *Du Haillan* in his General History of *France*; and *Larrey*, of whom we have an History of *England*, in his Dissertation about the Origin of Parliaments; do, on the contrary, pretend, That under the Two First Races this Crown was merely Elective.

Father *Daniel*, in order to reconcile so different Opinions, thinks, that one must distinguish the Times, and the several *Epochas* of the Monarchy. He asserts, That the Form of Government has not been the same under the Three Races; that the Crown was purely Hereditary under the First Race; Elective under the Second; and that it became again Hereditary under the Third.

Such is the Opinion which that Learned Historian pretends to establish, in a particular Dissertation, which is to be found in the First Volume of his *French History*.

This Dissertation has been the Cause, that the Abbot *Des Tuilleries* has composed another, under the Title of *Explication of the Election of the antient Kings of France*: Wherein he affirms against Father *Daniel*, That the Kingdom of *France* was no less Elective under the first Race of our Kings, than under the Second; nor less Hereditary under the Second, than under the First. But he pretends at the same Time, not only, that none were elected but of the Reigning Family; but also, that the Eldest of that Family were always preferred to all others: *The same Principle or Motive*, says
M. *Des*

M. Des Tuilleries, p. 18. which induced the French to refuse for their Kings any other than the Sons of their Monarchs, did equally engage them, in order to avoid Discords and Dissensions, to choose them always according as the Order of their Birth did appoint or design them to reign. By these Restrictions, M. Des Tuilleries, falls again into the first Opinion of those who maintain a Lineal and Hereditary Succession in the Three Races, and he differs only from their Opinion by his Elocution, calling Election, what was, as he owns it himself, but a mere Consent of the Great Men, and which did not even require any Deliberation: these are his own Words; for if there was neither Debate nor Voting, as he tells us at the End of his Treatise, 'tis also certain, that there was no Election, because the Eldest of the reigning Line were necessarily to be Elected, and such a Necessity excludeth the Liberty, which constitutes the Essence of Election.

Such are almost the different Opinions which divide our Criticks. But I am bold enough to propose another System, and which is partly contrary to those different Opinions, and which I look upon as a new Sort of Discovery, and therefore ought to suspend the more our Belief: But Proofs must decide of it. However, I undertake to prove against *Hotman* and his Adherents, that the *French* Crown under the first Race, has always been Hereditary, wherein my Opinion and Proofs agree with those of

Father *Daniel*; but at the same Time, I maintain against the same Father *Daniel*, That in this first Race, that Hereditary Succession did not exclude a true Right of Election: and, on the other side, I hope to demonstrate, against the Opinion of M. *Des Tuilleries*, That this Right of passive Election, did not belong to the sole Person of the eldest Son of the reigning House, as that learned Critick pretends; but that the Choice of the Nation might fall indifferently upon all the Princes of the Royal Blood, in a certain Degree; and that those Elections have often been made, without any Regard had to the ruling Line, and to the Rank of the Prince who was Elected.

In the Second Part of this Discourse, I will treat of the Form of Government observed during the second Race; and I will endeavour to prove, against Father *Daniel*, and M. *Des Tuilleries*, that there were equally, as in the first Race, both Heredity in the reigning House, and Election, in relation to the sole Princes of the Blood, who might be Competitors in those Elections.

And lastly, I will endeavour to prove, in my Third Part, That those Uses and Customs have been equally observed under the third Race, in relation to Hereditary Succession, whereby they are become Fundamental Laws of the State; and that the only Difference that has been introduced into it, is, that *Hugh Capet*, the Head of that third Race, and his first Successors *Philip I.* being excepted, in

in order to prevent among their Children, the Divisions which do but too often arise in an Election, did, even in their Life-time, use the provident Care, to take their eldest Sons into Partnership of the Crown, by the Great Mens Consent, which insensibly destroy'd the Right of Election; and by that publick Device, the Lineal and *Agnatick* Succession, as *Juriconsults* call it, and such as it is observed even now from Seven hundred Years, has been established by little and little as a Fundamental Law in the reigning House.

This is my Scheme: but before I proceed any further, I declare, That I would not have undertaken to handle this Question about the Succession to the Crown, if the same Matter had not been already treated of in publick Writing, by Antient and Modern Authors. After such a Protestation, I beg leave to say, That 'tis very difficult to acquire a perfect Knowledge of the History of a Nation, unless we trace it back to its first Origin, and are careful to be fully acquainted with the Principles of its Government; for except we are well apprized of what happened in the Foundation of a State, we are often apt to take Customs which have vary'd, or some singular Events, as so many Fundamental Laws, and even Infractions of the Law, for the Law itself. Now in order to avoid that Inconvenience, and clearly to establish the Succession of the Crown during the Two first Races, I think it would be necessary to go back to the first *French* Kings,

which reigned on the other Side of the *Rhine*, and to inquire into their Descents or Genealogy, as far as ancient History can lead us.

But not to speak of the Kings *Genebaudes* and *Mallobaudes*, whose Ancestors and Posterity are unknown to us; certain it is, That *Esatech* did reign over the *French*, about the Year 285. when the Emperor *Maximianus* restored *Genebaudes* to the Throne, and granted Peace to *Esatech*: That *Ascaric* and *Radagasius* reigned after him: That *Priam* succeeded to them; that this Prince was Father of *Marcomir*, and *Marcomir* of *Pharamond*. *Prosper* relates in his Chronicle, that he does not think any Historian can go higher as to this House, than to *Priam*; *Priamus quidam regnat in Franciâ, quantum altius colligere potuimus*. An old Manuscript of the Salick Law, says, that *Pharamond* had Two Sons, * *Clenus* and *Clodion*; *Pharamundus genuit Cleno & Cludiono*. 'Tis not known what became of *Clenus*; but as for *Clodion*, he succeeded to *Pharamond*. *Meroveé*, a Relation of *Clodion* reigned after him, and *Childeric*, eldest Son to *Meroveé*, was his Successor. *Clovis*, as *Aimoin* says, succeeded to his Father *Childeric*, by an Hereditary Right; *Huic hereditario jure successit supradictus Clodo-*

* De hujus stirpe quidem *Meroveum* Regem fuisse asserunt. Cujus filius fuit *Childericus*, *Greg. l. 2. c. 9.* *Francos Reges crinitos super se creavisse de primâ, & ut ita dicam nobiliori suorum familiâ.*

Jeus. Gregory of Tours, the antientest of our Historians, and who lived under the Reign of those Grandsons of *Clovis*, speaking of the Beginnings of our Nation which are so dark, says, "That the *French* did create to govern them, "some hairy Kings of the First and most Noble "Family amongst them;" and to shew that the Inheritance was already established in it, he adds, "Of which Family was King *Clovis*." And if to the Authority of so ancient an Historian of our own Nation, we add the Testimony of Foreigners, it will be found in *Agathias*, a Contemporary Author, that the Law of the *French*, did call the Children of Kings to the Succession of the Crown. *Patria Lex*, says he, speaking of the young *Theobald*, Son of *Theodebert*, *eum ad regnum vocabat*: And to strengthen the Testimony of a *Greek* Historian, by the Opinion of a *Latin* Author, who is almost as antient, we read in St. Gregory the Great, *Homil. 10. in Evang.* That among the *French*, as well as among the *Persians*, there was nothing but Birth that made them Kings. *In Persarum, Francorumque terrâ reges genere prodeunt*, says that Holy Pope.

But to return to Historical Facts and Proofs,

* *Clovis* was but Fifteen Years old when he suc-

B 4

ceeded

* According to the Opinion and Chronology of Father Daniel, *Clovis* was born in 466. Ascended the Throne in 481. Entred into *Gaul* in 486. died in 511. The fifth Council of *Orleans* was held in 549, in the 33th Year of the Reign of *Childebert* Son and Successor of *Clovis*.

Take

ceeded the King his Father. If the Election had been open to all the Lords and Chiefs of the Nation, would they have preferred a young Man, of 15 Years old, to so many Captains, who were then at the Head of that Warlike Nation? That Prince dying after the Conquest of most Part of the *Gauls*, the four Princes his Sons, divided amongst themselves the whole Body of the Monarchy. *Quatuor ejus filii regnum ejus accipiunt*, says *Gregory of Tours*, lib. 2. c. 27. *& inter se equâ lance dividunt*. How can such a Division made by those four Princes, be reconciled with a State wherein the Right of Election is received, and wherein they might have had such formidable Competitors? *Clotharius* the First of that Name, and the last of those Princes, by the Death of his Brothers, who died without Male Issue, re-united in himself the whole Body of the Monarchy, which his Children, after his Death, again divided amongst themselves, leaving, as an Historian says, his Body to the Earth, and his States to his Children; *Corpus terræ, regnum filiis relinquens*: But an irrefragable Argument to prove that the Crown was absolutely Hereditary, is, that *Chilperic I.* Son of that same

Take off those 28 Years, and it will remain 511.

According to *Gregory*, lib. 2. c. 47. *Clowis* lived 45 Years: so that he must be born about the Year 466.

He reigned 30 Years, according to the same Historian; so that he began to reign when he was 15 Years old, about the Year 481.

Clotharius,

Clotarius, being dead, the *French* set on the Throne his Son, who was scarce Four Months old, and acknowledged him for their Sovereign, as may be seen in *Gregory of Tours*, lib. 7. *Priores quoque de regno Chilperici, ut erat Ansovaldus, & reliqui ad filium ejus qui erat, ut superius diximus, quatuor mensium se collegerunt quem Clotiarum vocitaverunt.*

A Fact which is so positive, and a Proof which is so precise, need no Commentary. Did it ever come into any Body's Thoughts, in an Assembly called for an Election, and in a Nation abounding with Warlike Generals, to elect as their King, a Child of Four Years Old, if the Crown was not Hereditary? And as a further Proof that the *French* were inviolably attached to the Blood of their Kings, is, that *Grimoald*, Son of the Elder *Pepin*, and Mayor of the Palace of *Austrasia*, having depos'd the young King *Dagobert*, who was yet a Child, and set up in his room his own Son called *Childebert*; the People of *Austrasia* arrested both the Father and the Son, and conducted them, loaded with Chains, to *Clovis II.* King of *Neustria*, who condemned the Father to Death. *Franci verò indignantes Grimoaldo insidias parant, eumque captum Regi Francorum Clodoveo ad condemnandum deducunt, ob reatum quem in Dominum suum exercuerat vitam valido mortis cruciatu finiunt.*

And if we follow the Series of our History, we shall find at every Step, some new Proofs, that

that the Crown was, at it were, tied solely to the reigning Family.

An Adventurer, named *Gondebaud*, and who called himself *Clotaire's* Son, having drawn to himself a powerful Party in *France*, and boasting to *Magnulphus*, Bishop of *Bourdeaux*, that he would establish the Seat of his Dominion at *Paris*; "God forbid, answered that wise Prelate, that such a thing should happen, as long as there shall be in *France* some Prince of the Royal Blood;" which is a most certain Proof, that the Crown was tied to that illustrious and venerable Blood. *Nunquam, ait Pontifex*, as *Gregory of Tours* relates, *tu ista impediante Christo complebis, quam diu quispiam Regii superfuerit sanguinis.*

Theobald the Young, Son to *Theodebert*, already named, was born paralytick, and so weak, that during his whole Reign, he was continually dying; and nevertheless his Infirmities did not hinder him from succeeding to the King his Father. If the Crown had been Elective, had our Ancestors, who were then so Warlike, no other Person in the Nation to chuse for their Sovereign, but a Man who never had the Use of his Limbs?

Dagobert II. being dead, and the Mayors of the Palace being Masters of the Government, they were, notwithstanding their usurped Power, always forced to place on the Throne some Prince of the Royal Blood. *Rainfroy*, who was then Mayor, did, accordingly, take
out

out of the Cloyster, a Monk of that illustrious Family, called in the Convent, *Brother Daniel*, and set him upon the Throne of *Neustria*, under the Name of *Chilperick II.* Now I ask any unprejudiced Person, If the Hereditary Succession had not been an inviolable Law then, and if the Crown had not belonged solely to the Family of *Clovis*, whether, in so vast a Kingdom as *France* was then, which reached from the *Western Ocean* to the *Rhetian Hills*, and from the *Alps* to the *Pyrenean Hills*: Whether, I say, in so many States and Provinces, which then made up our Monarchy, the Chiefs and Noblemen of *France*, being Masters of chusing to themselves a Sovereign, would have preferred to so many great Generals, whose Names and Exploits are handed down to us, sometimes a Paralytick, sometimes a sucking Child, or a Monk, who must be forced to abandon his most holy Engagements?

If the Crown had been Elective, why did not the *French* give it rather to *Erchinoald*, to the two *Pepins*, to *Charles Martel*, who all of them were great Generals, and under whose Ministry the Kingdom did exceedingly flourish?

So true it is, that the *French*, according to the Example of the *Germans*, whose Posterity they were, did always chuse their King out of the reigning Family: *Reges ex nobilitate*, as *Tacitus* says, and their Generals by way of Election, and for the Sake of their Abilities:
Duces

Duces vero ex virtute sumunt. The Mayors of the Palace were Elected by the *French* alone; *i.e.* by the Body of the Nobility: They themselves made Choice of the General, under whose Banner they were to fight. *Fredegarius* has even transmitted to us the Form of that Election: But as for our Kings, they must be born to the Purple, they must be Princes of the Blood; and even it is to be observed, that in *Marculph's Formulae*, the Name of Kings was often given to them, as soon as they were born. In a Word, if we look on the first Part of our History, and on the first Race of our Kings, we shall find therein, 36 Kings who reigned, either in *Neustria* or *Austrasia*, in the Space of 333 Years, and who were all of the Posterity of King *Meroveus*; wherefore, that Race has been called *Merovingiana*; and yet the *French*, during so long an Interval of Time, and in such hard Circumstances, wherein some pretend, that there were in the ruling Family none but Minors, or weak and infirm Princes, did never prefer the greatest Captains, to those Minors, or pretended weak and infirm Princes: And, therefore, I take this to be an unquestionable Proof, that the Crown was Hereditary.

But what do the Sticklers for the pretended and imaginary Right of Election, oppose to so many authentick Proofs? On what Foundation, and on what Arguments do *Hotman*, *Du Hailan*, and *Larrey*, pretend to establish their System? They say, That all the Kings of *France*,
down

down to *Hugh Capet*, have been Elected by the *French*; who, as they assert, did keep to themselves that Right and Privilege of Electing, Banishing, and Deposing their Kings: These are almost their own Words. But what Instances do they give of it? They alledge for the first Race, the Example of *Childeric I. Clovis's* Father, against whom the *French* revolted, and that of *Childeric III.* a young Prince, the last of that first Race, whom *Pepin the Short* deposed; as if one or two Examples recorded in our History, were sufficient to lay the Foundation of a Right; and some few Seditions and transitory Rebellions, could be a Precedent against the Fundamental Laws of a State, and the constant Practice of many Ages. Just as if, when the Question is about the Opinion of an Author, any one should oppose to his Principles, clearly explained in a Hundred different Passages, a single Passage of the same Author, and drawn from a Place wherein the same Matter is not expressly treated of. It is true, that the *French*, who had not yet formed their Government into a complete Monarchy, being offended at the dissolute Manners of *Childeric I.* did drive him away, and placed in his Room the Patrician *Ægidius*, who commanded in that Part of *Gaul* which was yet subject to the *Roman* Empire; but one of the Authors who relates this Event, and was very well acquainted with the Customs of the Nation, does not omit to observe, that such a Revolt was as odious as unjust; *Franci relicto Childerico*

derico Aegidium Principem Romanorum elevarunt super se Regem, tenentes consilium non bonum, nimisque inutile & absurdum. Which is a Proof, that such an Undertaking of those *Franks*, tho' they were not then form'd into a settled Monarchy, was looked upon as unjust and extraordinary, with regard to the Usages and Customs of the Nation.

As for the forced Abdication of *Childeric III.* 'tis well known, that this young Prince was opposed by the Cabal of *Pepin the Short*, Mayor of the Palace, who usurped the Throne of his Master; and we do not think fit to say any Thing more of the Son of *Charles Martel*, and of the Father of *Charlemain*. Let it suffice, that we have proved, that all the Kings of the first Race, descended from the Family of *Meroveus*, and the Blood of *Clovis*: And this does unquestionably establish the Hereditary Succession in the reigning Family. But 'tis no less true, that these Princes did not ascend the Throne but by the Choice of the Nation; insomuch that there were, at the same Time, both *Succession* and *Election*. *Succession* as to the reigning Family, as we have said; and *Election*, as to the several Princes, whom the chief Men of the State and of the Nation selected from the Royal Family, to ascend the Throne of the *French* Monarchy: And this is the Second Head I have undertaken to prove.

Father *Daniel* having mentioned the Opinion of *Du Haillan*, as to the Right of Election during

during the first Race; adds, " Other Authors,
 " on the contrary, pretend, that the *French*
 " Empire was even then Hereditary, as it is
 " now; that the Sons of the Kings, according
 " to the Usage of the Nation, did succeed to
 " their Fathers; that for want of Male Issue,
 " the Brothers did succeed, and for want of
 " these, the nearest Relations. I take, says
 " Father *Daniel*, this second Opinion to be
 " very true; and that of *Du Haillan* to be
 " very false, at least as to the first Race." These
 are the Words of this Modern Historian.

For my Part, I look upon those Two Propositions to be equally false. I have just now proved against *Du Haillan*, that from the Beginning of the Monarchy, and even before the *Franks* had crossed the *Rhine*, the Crown was Hereditary. It remains to prove against Father *Daniel*, as to that first Race, that although that Crown was Hereditary, yet it was not Hereditary as it is now, as Father *Daniel* asserts; and that the *French* submitted themselves, as we do now, to prefer the Sons to the Brothers, and the Brothers to the Cousins, and to the nearest Relations. In a Word, that the Nation had kept to itself the Right of choosing out of the reigning Family that Prince who seemed the fittest for Governing, without having any regard to the Line and Degree he was in. This I am to prove, and I hope to convince my Readers of the Truth thereof, not only by a Series of very plain Facts, but even by very formal Laws,
 fur-

furnished to us by the first Kings of the second Race, and which had no other Foundation, as it will appear, but on Customs and Uses that were constantly observed during the first Race.

As we have run through the whole History of the first Race, in order to establish the Hereditary Right of that Family in the reigning House; we must turn back, in order to disentangle there, at the same Time, the Right of Election; and we will begin by *Meroveus* the Head of that Race, and *Clodion's* Successor.

It is proved by History, that *Clodion* had two Sons, who outlived him, but did not succeed him. *Priscus*, a Contemporary Author, relates, That one of the Reasons why *Attila* King of the *Huns*, fell upon the *Gauls*, with that innumerable Multitude of Barbarians he had along with him; was, the Discord there was amongst the Children of *Clodion* after his Death. *Francos bello laces-
sendi occasionem ei subministrat Regis illorum
obitus & de regno inter liberos ejus orta dissensio.*

And yet none of them reigned in *France*; for it was *Meroveus* who was Elected: *Quo de-
functo Meroveus ad regendum populum eligitur.* And that *Meroveus* was looked upon as being related to *Clodion*; *De hujus stirpe quidam Me-
roveum Regem fuisse asserunt*, as *Gregory of
Tours* relates it, *lib. 2. c. 9.* It was not then the Degree of Birth which regulated the Order of Succession.

But as the *French* Monarchy was then, as it were, just in its Infancy, let us pass to those
those

those Times where 'tis easier to perceive the constant Form of our Government.

Every-body knows, that in the Time of *Clovis*, Grandson to *Meroveus*, there were several *French* Kings among the *Gauls*. *Sigebert* King of *Coln*, *Ragnacarius* King of *Cambray*, *Regnomer* King of *Mans Cararic*, but the Situation of whose Dominions is unknown, yet were all of them related to *Clovis*, and of the same Family, as *Gregory of Tours* says. Tho' *Clovis* had embraced Christianity, yet being still Ambitious, and Blood-thirsty, as most Conquerors are, he resolved to be rid of all those Princes. He begun by *Sigebert* King of *Coln*; he addressed himself to his Son, and sent him Word, That if the King his Father should die, he would willingly use his Interest to make him his Suecessor. *Si ille moreretur, rectè tibi cum amicitia nostrâ Regnum illius redderetur*. *Chloderic*, *Sigebert's* Son, understood easily the Meaning of those Words; and so that cruel Son caused his Father to be murdered when he was Hunting. *Clovis* treated him just in the same manner; for not long after, he caused him to be assassinated by other Ruffians. After that he went into *Sigebert's* Dominions, and there called an Assembly, wherein he set forth the Murder of the Father and of the Son, and then demanded, that being related to those Two Princes, they should chuse him for their King; which the Great Men of the State, and the whole Nation, consented to. *Francisci, plaudentes*

tam palmis quàm vocibus, eum clipeo erectum super se Regem constituunt, says Gregory of Tours. By the Narration of this Event, and by the Discourse of *Clovis* to *Chloderic*, 'tis plain, that a Son wanted both Friends and Interest, to succeed to his Father: Moreover, 'tis also to be observed, that *Clovis* did not ask the Crown of *Coln*, by reason of his being the nearest Relation, but only to be chosen by the Assembly of the People he had called together. The Great Men of the State did not dispute with him that Crown, because he was known to be a Relation of the late Kings; and that such a Relation was necessary for any Man to be Competitor or Candidate in an Election. It was by the same Right of Affinity, that one *Munderic* pretended to have a Share of *Clovis's* Succession. He was followed, says *Gregory of Tours*, by a Multitude of Peasants, who took their Oath to be faithful to him as such; *Mundericus, qui se parentem Regum asserebat, egressus cepit seducere populum suum dicens, Princeps ego sum, sequimini me, & erit vobis bene. Sequebatur autem eum rustica multitudo, dantes Sacramentum fidelitatis, honorantes eum ut Regem.*

The French Nation were so fully persuaded of the Right they had to chuse their King, provided that they made use of that Right in Favour of a Prince of the Royal Blood, that *Chilperic I.* Grandson to *Clovis*, having made himself hated by reason of his Cruelty, they gave the Crown to his Brother *Sigebert I.* *Ad Sigebertum*

Sigebertum legationem mittunt, ut ad eos veniens derelicto Childerico super se ipsum regem stabilirent. Veniente autem illo ad villam, cui nomen est Victoriacum, coelectus est ad eum omnis exercitus, impositumque super clipeo sibi regem statuunt. Here's a Brother, who, by an unanimous Consent, was set on the Throne of his Brother: And in the following Instance, we shall see a Cousin preferred to the Children of the late King.

Theodoric King of Austrasia being dead; Queen Brunehault, Great Grandmother to the Children of that Prince, undertook to set Sigebert the Eldest of them, on the Throne of Austrasia. But having heard that Clotarius II. King of Neustria, and Cousin of her Great Grandchildren, did cabal in the Kingdoms of Austrasia and Burgundy to be elected King; that he had even a great Number of Adherents; and that he was coming to the Borders of the Country with a numerous Army, in order to animate those who stood by him; that old Princess sent him Ambassadors, to beg of him to retire, and to permit the Sons to succeed to their Father. Contestans ei ut se de regno Theuderici quod filiis reliquerat removeret. What did Clotarius answer to this? That he was not Master of that Crown, to yield it to Sigebert; that the Queen ought to address herself to the French Electors; and that, for his Part, he would submit to whatever should be agreed upon in that Assembly. *Brunechilda mandabat iudicio Francorum. Ele-*

Etorum, quicquid præcedente Domino à Francis inter eosdem predicabitur, pollicetur sese adimplere.

There's certainly a Right of Election very well establish'd, and wherein the Cousin gets the better of the Sons of the late King. But it must also be observed in this Example, and in all those mentioned by Historians, that none were ever Competitors, but those who were of the Royal Blood; tho' History mentions a great many *Austrasian* and *Burgundian* Lords, who might have been Competitors in this Election, if it had not been for the sole Princes of the Royal Blood. But let us go on and follow our History: 'Tis well known that it was customary, in those Days, to give the Name of King to the King's Son, and even in his Father's Life-time; and that Custom was grounded on this, *viz.* That those young Princes were designated to reign, and that the *French* did commonly assign to each of them a Part of the Monarchy. Such were the Kingdoms of *Paris*, of *Orleans*, of *Metz*, and of *Soissons*: 'Twas, indeed, always the same Monarchy, but whose Provinces yielded Obedience to several Princes of the same Family; and those particular States are known in History, under the Names of the Kingdoms of *Austrasia*, *Neustria*, and *Burgundy*.

Dagobert, Son to *Clotarius*, just now mentioned, who already reigned in *Austrasia*, during the Life of *Clotarius II.* his Father, having heard

heard he was dead, and fearing lest his Brother, Prince *Aribert*, should cause himself to be elected King of *Neustria*; that Prince, as *Fredegarius* says, sent into that Kingdom several Lords, to get for him the Votes of the Nation, and to induce them to chuse him for their King. *Missos in Burgundiam direxit ut suum deberent regimen eligere.* *Dagobert* was well served, and was elected King of the Three Kingdoms against *Aribert*.

'Tis visible that in this, as well as in the preceding Examples, there was an Election made, but in this Election, none were Competitors but the Two Sons of the late King. *Dagobert* dying, as *Fredegarius* says, left Two Sons behind him, viz. *Sigebert*, and *Clovis II.* *Sigebert* was already King in *Austrasia*; and as for young *Clovis*, all the Great Men of the Kingdoms of *Neustria* and *Burgundy*, being assembled in the Castle of *Massolac*, did, as he says, set him upon the Throne. *Omnes Proceres de Neuster & de Burgundiâ eum Massolaco villâ sublimant in regnum.*

Clovis II. had Three Sons, *Clotarius III.* *Childeric II.* and *Thierri I.* *Clotarius* was King of *Neustria*, and died without Issue: *Childeric* King of *Austrasia*, succeeded him in the Kingdom of *Neustria*; and having been murdered, his Son was not set in his Room: But the *French* made Choice of *Thierri* his Brother, and the Third Son of *Clovis II.* By these Examples 'tis plain, That the Birth-right was not much

considered, and that the *Austrasians*, *Neustrians*, and *Burgundians*, being faithful to the Blood of *Clovis*, did not think that they were defective in their Fidelity, if they did but set on the Throne a Prince of his Blood, although without any Regard had, either to the Rank or Degree of Birth. Here's a new Proof of it.

Dagobert II. being dead, the *French*, instead of giving the Crown to his Son *Thierri II.* forced out of the Cloister, Prince *Daniel*, Son to *Childeric II.* who had been murdered; and when he had let his Hair grow, which was the Mark of the Princes of the Blood, he was placed on the Throne, and took the Name of *Chilperic II.*

Charles Martel, Mayor of the Palace in *Austrasia*, instead of acknowledging *Chilperic II.* propos'd to the *Austrasian* Lords, to chuse a King for their Nation, and they elected a Prince of the *Merovingian* Family, called *Clotarius*; but Historians have not told us whose Son he was, nor in what Degree he was related to the Crown; which is an Argument that the sole Quality of Prince of the Royal Blood, was sufficient to create a Capacity of becoming King.

After the Death of *Chilperic II.* just now mentioned, they called to the Succession of the Crown, the aforesaid *Thierri*, Son to *Dagobert II.* and he was called *Thierri of Chelles*, from the Place in which he had been brought up.

The

The Death of this Prince, was followed by an Interregnum of Five Years, and *Pepin* and *Carloman*, Mayors of the Palace, or Dukes or Princes of the *French*, purposely suffer'd the Throne to be vacant, to try the Mind of the *French*, and to see whether they would be without Kings, or whether they would permit them to place the Crown on their own Heads; but being sensible of the Nation's Inclination for the Blood of *Clovis*, they resolved to fill the Royal Throne with a young Prince called *Childeric* III. who, some say, was Son of *Thierry* II. others of *Chilperic* II. and others of *Clotarius*, whom *Charles Martel* had set on the Throne of *Austrasia*. All these Instances shew, that the *French*, in the Choice of their Sovereign, had no Regard either to the Line, or to the Degree of Proximity, if the elected Prince was but known to be a Prince of the Royal Blood.

It was commonly the King their Father who gave them that August Name, by commanding them to wear that long woven Head of Hair, which was, as it were, the Mark of their Birth, and a natural Diadem. But notwithstanding this Distinction, he could not destinate them for his Successors, unless the Consent of the Chief Men, and of the Nation, should intervene. This we learn of the Author of the *Formula*, who lived in the Seventh Century, and whose Work is a precious Repository of our ancient Customs. That Writer has trans-

mitted to us a Copy of the Proclamation, which our former Kings directed to the Earls of each Town, to give them Notice of the Name of their Son, whom they appointed either for their Partner in the Regal Power, or for their Successor. *Ille Rex, illi Comiti* *Dum & nos unà cum consensu Procerum nostrorum, in regno nostro illo gloriosum filium nostrum illum regnare præcipimus, &c.* By this old Act 'tis plain, that in order to set a Prince on the *French* Throne, the Consent of the Chief Men of the State was no less necessary, than the Authority of his Father: That those Two Consents were equally required, and did concur in the same Election; and that if the elected Prince, had by his Birth an hereditary Right to the Crown, he was beholden to none but to the Nation, for his being often preferred to his Brothers, and other nearest Relations. This was to be proved, both against Father *Daniel*, and M. *Des Tuilleries*. Let us now come to the Second Race, and let us see whether it be true, as Father *Daniel* pretends, That the hereditary Succession has been abolished, to make Room for a first Election.

Almost whatever is to be seen in this Part of our History, says Father *Daniel*, gives us the Notion of an Elective Kingdom. First, 'tis certain, adds that Historian, that *Pepin*, Head of that Family, was made King by Election, and that by the same Election, the Right of the King's

King's Sons to the Crown was abolished, *i. e.* the Crown ceased to be Hereditary.

I easily agree to the first Proposition, *viz.* That *Pepin* came to the Crown only by Way of Election, and in the Beginning of a new Race, he could not come to it any other Way. Every thing must have a Beginning; and both *Pharamond* and *Hugh Capet*, the one Head of the First, and the other of the Third Race; and of which Two Races Father *Daniel* does not dispute the hereditary Succession; these Two Princes did nevertheless ascend the Throne but by the elective Way. It was in that Time, says *Fredegarius*, that the most excellent and high Lord *Pepin* was set on the Throne, by the Votes of all the *French*; *Quo tempore unâ cum consilio & consensu omnium Francorum præcelsus Pipinus sublimatur in regno.*

Let us see whether the Historians of the First and Third Races speak after another Manner. The *French*, as the Author of the Exploits of our Kings says, did elect *Pharamond*, Son to *Marcomir*, and did set on the Throne a King with long Hair. *Franci elegerunt Pharamundum filium ipsius Marcomiri, & levaverunt eum super se Regem crinitum.* But let us come to *Hugh Capet*, the Head of the Third Race, in which the hereditary Succession to the Crown was never called in Question. *Glaber*, a Contemporary Author, speaking of the Election of *Pepin*, after the Death of *Lotharius* and *Lewis*, the last Kings of the Second Race,

Race, uses the same Words he had made use of, speaking of *Pharamond's* Election. All the great Men of the States, as that Historian says, being met together, did consecrate and acknowledge *Hugh* for their King. *Mortuis Lothario ac Ludovico Regibus totius Franciæ regni dispositio incubuit Hugoni Parisiensis Duci filio, &c. cujus frater erat nobilissimus Burgundiæ Dux Henricus, qui simul cum totius Regni Primatibus convenientes prædictum Hugonem in Regem ungi fecerunt.*

In these Two Elections, no Act is to be seen betwixt the *French*, and *Pharamond*, or *Hugh Capet*, whereby the Nation has granted the Crown to their Posterity. That Right of hereditary Succession is founded but on a tacit Contract, and on an immemorial Possession; but which, as to the Government of States, is a Kind of fundamental Law. And so we must not conclude from *Pepin's* Election, as Father *Daniel* does, that such an Election had abrogated the preceding Right of hereditary Succession. That Prince was elected to reign according to the Custom of the Nation, and after the same Manner his Predecessors had reigned. He was set on the Throne with Queen *Bertha*, says *Fredegarius*, according as the ancient Order and Use prescribes it. *Unâ cum Regina Bertradanâ, ut antiquitus ordo deposcit, sublimatur in regno.*

If the *French* had thought fit to change that ancient Use ; if they had given the Crown to *Pepin* alone ; and if they had excluded his Descendants ; or that they had obliged his Sons to stand equally with the great Men of the State, in the Competition for the Crown in a general Election ; we should find some Marks thereof in the Historians ; and it would be but reasonable in Father *Daniel*, who has espoused *Du Haillan's* Opinion for this Second Race, to shew us those Marks and Signs. I have proved, that in the first Race, the Crown had always been * hereditary in the Family of *Meroveus*. Had the *French* been willing to change that Form of Government in the Second Race, would not that Passage and Change of an hereditary to an elective Crown, have been marked by some Disputes and Oppositions ? Can they, so easily, in a great Kingdom change the Order of the Royal Succession ? And whenever such Changes happened among other Nations, did not Historians take Care to relate the Reasons and Motives of it, to set down what happened thereupon in the Assembly of the States of each Nation ? And would our own Writers have been silent concerning so great Events ?

* Omnibus penè gentibus notum gentem Francorum Reges ex successione habere. *Fulco archiep. Rhemensis in Floardis, l. 4. c. 5.*

But

But the Reason of the Mistake of *Du Hailan*, *Hotman*, and their Adherents, and of Father *Daniel* after them, is, That seeing in most Historians, especially of the Second Race, the Word *Election*, they did not consider, that that Election, as well during the Second Race, as during the First, did concern only those who were of the reigning Family. And they were confirmed in that Opinion, because they beheld on the Throne Two Kings, who were not of the *Carlian* Family : An Event, whereof we are to relate the Motives and Reasons, by considering the Objections of Father *Daniel*.

The First Objection seems too weak to take up much Time in explaining and resolving it. The Kings of the First Race, says that Author, came to the Crown by the Right of their Birth. *Reges ex genere prodeunt* : Whereas *Eginard*, says he, speaking of the Manner how *Charlemain*, and *Carloman* his Son, had ascended the Throne; relates, that it happened by God's Will, *Divino nutu*. It is true, that *Charlemain* and *Carloman* did not come to the Crown but by Way of Election ; but that Election expressed by our Historians in these Words, *cum consensu Optimatum*, regarded only the Sons of Kings. They had no Foreign Competitors. The Competition was not opened to the other Lords of the Kingdom, as I am to prove by express Laws. And if these Words, *By the Order of God, nutu Divino*, were a Proof of the Right of passive Election for all the

the Lords without Distinction, that Way of arguing would prove a little too much; for since our Kings at present do make use of the same Set Form, and that they give themselves the Title of Kings *by the Grace of God*, it would follow, that they ascend the Throne only by Way of Election; and yet 'tis well known that the Crown is merely hereditary.

Father *Daniel*, in order to justify that general Right of passive Election, pretends, that *Pepin, Charlemain, and Lewis le Debonnaire*, did take the provident Care to associate to themselves, even in their Life-time, their Sons to the Crown, either to regulate their Shares, or to secure the Crown within their Family; A Precaution which they would not have taken, if the Crown had fallen to them by an hereditary Right. He adds, That *Carloman* being dead, *Charlemain*, his Brother, was immediately chosen King by his Subjects, though the late King had left behind him some Children.

In a Word, Father *Daniel* cites the Charter of Division, which *Charlemain* made of his Dominions among his Three Sons, where are couched these Words, which the Author has taken care that they should be printed in large Letters; *That if one of the Princes has such a Son as the People would chuse to succeed to his Father's Dominions, Our Will is, says Charlemain, that his Two Uncles give their Consent to that Election, and that they let him*
reign

reign in that Part of the State which his Father enjoyed for his Share. I allow those Objections, and I pretend to take my Proofs from them; and in order to follow in my Answers, the same Order which Father *Daniel* has observed, I would willingly ask him (who owns that the Crown was hereditary in the First Race) Whether it be possible to draw by plainer Consequences an Induction for the Right of Succession in the Second Race, from the Partnership, or from the Division *Pepin, Charlemain, and Lewis le Debonnaire*, made of their Dominions, than from that same Partnership made, during the First Race, by *Clo-tarius II.* in Favour of King *Dagobert*, and by *Dagobert*, in Favour of his Son *Sigebert*? for my Part, I take the Parity to be intirely the same in the Examples drawn from the Two Races. As to the Subjects of *Carloman*, who, preferably to the Sons of that Prince, elected, after his Death, *Charlemain* for their King; This Objection is a Proof of my System, and shews, that the Crown was both hereditary and elective at the same Time; *Hereditary*, because it fell always to the Princes of the same Family, as during the First Race; and *Elective*, by Reason of the Right the People had reserved to themselves to chuse out of the Royal Family the Prince, who seemed the fittest to govern them; and the Subjects of *Carloman* did, in this, act agreeably to what the Family had done

done under the Kings of the First Race, as we have seen above.

And this is even proved by the Charter of *Charlemain*, cited by Father *Daniel* in the Year 771, in which it appears, that that Prince, with the Consent of the great Men, having divided those great Provinces which composed his Empire, and which were so many Kingdoms, among his Three Sons, *Charles*, *Lewis*, and *Pepin*; he adds, That if one of those Princes happen to die, and leaves behind him a Son whom the People are willing to chuse to succeed to his Father, his Uncles must not obstruct that Election. *Quod si talis filius*

cuiuslibet istorum trium fratrum natus fuerit quem populus eligere voluerit, ut patri suo succedat in regni hereditate, volumus ut hoc consentiant patrui ipsius pueri. *Charlemain* does not say, That if any of those Three Princes, his Sons, happens to die, and leave behind him some Children, the People shall have the Right to elect either one of the Sons of the late Prince, or such and such other Prince or Lord of the Nation; but he includes intirely the Right of Election within the Family of the deceased Prince. And in order to set this Truth in its clearest Light, it will not be amiss to cite such another Charter of *Lewis the Debonnaire*, which confirms that of *Charlemain*, and which demonstrates, that by preserving the Crown in the same Family, the *French* had only reserved to themselves the Choice of the Prince whom they

they would obey. *Lewis the Debonnaire* in that Charter, of the Fourth Year of his Reign, declares, That his Subjects having represented to him, that in order to preserve Peace within his Dominions, and keep up a good Agreement among his Children, it was convenient to regulate in his Life time, in what Provinces each of those Princes should reign, according to the Practice of his Predecessors, *De statu totius regni & de filiorum nostrorum causâ, more parentum nostrorum, tractaremus*: That Prince, truly pious, adds, That in order to prepare himself for so great an Affair, which was of so much Moment for the Tranquillity of the State, they should have Recourse to God by frequent Prayers, Alms, and Fasting during Three Days; and that then, by a particular Inspiration from Heaven, the Wishes and Votes of the Nation might be agreeable to his Purposes, and might give him for his Partner and Successor to the Empire, his eldest Son, called *Lotharius*: *Quibus ritè per triduum celebratis jejuniis, nutû omnipotentis Dei, ut credimus, actum est ut & nostra & totius populi nostri in dilecti primogeniti nostri Clotarii electione vota concurrerent*. This certainly is an Election made in due Form; and by Virtue of that Election, wherein there never was a Foreign Competitor, Prince *Lotharius* was crowned, and the Princes *Pepin* and *Lewis*, his Brothers, were declared Kings. *Itaque taliter Divinâ dispensatione manifestatum placuit*

cuit & nobis, & omni populo nostro more solemni Imperiali Diademate coronatum nobis & consortem & successorem Imperii. Si Dominus voluerit communi voto constitui, ceteros verò fratres ejus Pipinum videlicet & Ludovicum æquivocum nostrum communi consilio sub seniore fratre Regali potestate potiantur; and they give for Subjects to Pepin, the People of Aquitania and Gascony; and to Lewis, the Bavarians, Bohemians, Sclavi, and other German People. And by a solemn Act it was ordered, That in case one of the Kings should die, and leave behind him lawful Children, the Dominions of the deceased King should not be subdivided, but that the People being met together, should chuse for King, him of his Sons whom God would be pleased to direct to them, and that his eldest Uncle should be to him as a Father and Brother; and that, being placed on the Throne, he should exactly observe this Imperial Constitution: And as to the Brothers of the new elected King, they should be kindly used, and with the Respect which the Nation has always had for the Sons of Kings. Si verò aliquis illorum decedens legitimos filios reliquerit, non inter eos potestas ipsa dividatur, sed potius populus pariter conveniens unum ex iis quem Dominus voluerit eligat, & hunc senior frater in loco fratris & filii suscipiat, & honore paterno sublimato hanc constitutionem erga illum modis omnibus conservet. De cæteris verò liberis pio

D

amore

amore pertractet, qualiter eos more parentum nostrorum salvent, & cum consilio habeant.

Now I leave it to the Readers to decide which of the Two Systems these Two Charters, which are to be looked upon as authentick Laws, do favour. Father *Daniel* pretends, That the Election was open to every-body; and I assert, and not without good Reasons, as I think, that this Election concerned solely the Princes of the Royal Blood; and my Opinion is grounded on the Authority of that Charter, which does not say, That the *French* People, instead of the deceased Prince, are obliged to elect whomsoever he thought fit, but only one of the King's Sons, *unum ex eis*.

To this Restriction, made solely for the Sake of the Royal Family, Father *Daniel* opposeth the Example of one *Bozon*, Brother to *Richilde*, Wife to *Charles the Bald*, who, in a Council held at *Mantale* in *Dauphiné*, in 879, caused himself to be elected King of *Arles* and *Provence*; That Example, says he, a little while after, was imitated by *Rodolph* Duke of *Burgundy Transjurana*. By all these Examples it is visible, adds the Reverend Father, that the *French* Empire, under the Second Race, was no longer looked upon as hereditary.

No, not by Rebels and Usurpers, such as *Bozon*, and those of his Party were. For there was then in *France* a King who was alive, and though the Crown had been elective, by what
Right

Right could *Bozon* cause himself to be elected King of *Arles*, during the Reign of *Lewis the Stammerer*, who had been acknowledged and crowned King of *France*? Wherefore *Lewis* and *Carloman*, Sons of the *Stammerer*, made so cruel a War against that Usurper, that they drove him away from that new usurped State. 'Tis true that *Lewis*, Son of *Bozon*, maintained himself after his Father's Death, in some Places of *Provence*; but he did not take the Name of King. That pretended Kingdom fell afterwards into Pieces, by the Usurpation made by the Governors of the Towns of several Counties: The Empire had afterwards its Share of it; But what can all that prove, unless that the Government was then so weak, that there rose up very often some domestick Rebels and Tyrants, who being unfaithful to their Kings, seized on the Dominion of the Provinces and Towns, whose Government had been intrusted to them?

But, says Father *Daniel*, it is so true, that the Crown was elective under that Second Race, that after the Death of *Lewis* and *Carloman*, Sons to the *Stammerer*, the *French* did not appoint the Crown to *Charles the Simple*, their Brother, and *Posthumous* Son of the *Stammerer*; but set it on the Head of *Charles*, Surnamed *the Fat*, Emperor and Son of the *Germanick*.

I do readily own the Truth of the Matter, and the *French* did not do, in this, any thing different from what they had practised many Times during the First Race. 'Tis true, they did not set on the Throne *Charles III.* though he was Brother to the Two late Kings, which shews, that in this Second Race no Regard was had either to the Rank or Degree of Birth, as M. *Des Tuilleries* pretends. But we must also consider the Condition *France* was then in. That Kingdom was ravaged by the *Normans*, and there rose up every Day some Rebels, who, under Pretence of securing themselves from the Incursions of those Barbarians, fortified their Castles, and assumed a total Independancy from the Government. In order to drive back the *Northern Barbarians*, and to force most of the *French* Lords to obey, a powerful King was necessary. *Charles III.* or *the Simple*, was then but a little above Seven Years old: Wherefore, in so difficult a Situation, they gave the Crown to *Charles the Fat*, who was Emperor, and of the Blood of *Charlemain*. The Crown was no less hereditary in the same Family, and the *French*, on that Occasion, did but make use of the Right they had to chuse out of the same Family, the Prince who seemed to them the fittest to govern them, without having any Regard to the Birthright of each Branch, or to the Degree in the same Line. That is very well, may Father *Daniel* say, but that
this

this System might be well established, it would be requisite that this elective Inheritance, if I may call it so, should never go out of the *Carlman* Family. But most certain it is, that *Eudes*, *Robert*, and *Raoul*, were not of that illustrious Family, and nevertheless they have been crowned Kings of *France*, and have reigned as such; from whence that Author draws this Consequence, which is agreeable to his System, *viz.* That the Crown was then, and in that Second Race, merely elective, and that the *French* did set on the Throne such a Lord of the Nation as they would have for their King, without having any Regard to the Royal Family of *Charlemain*.

The First Example, which is objected to us, is that of *Eudes*, Son of *Robert the Strong*, to whom the *French* gave the august Title of *King*, though he was not of the Royal Blood. But that pretended King was but the Guardian of the true one; and for the Explanation of this Truth, it must be known, That *Charles the Simple* was yet Minor: That in this Second Race, and even to the Third Race, the Princes who were Minors, were not called Kings, 'till after the Ceremony of their Coronation. Again it must be observed, that *France* was continually ravaged by Multitudes of *Barbarians*, and that, in order to oppose the Incursions of those Northern People, the Name of King must be given to the Regent, in order to give him more Authority, and that, without

that Title, the Chief Men, who begun to change their Governments into feodal Dominions, would not have received Orders from a private Lord, and who would have been but their Equal.

And what I say of this Regent, which they thought fit, in such hard Circumstances, to invest with the Title of a King, is grounded on the Authority of *Aimoin*, or of his Continuator; Two contemporary Authors, who expressly relate this in l. 5. c. 42. *Carolus, qui simplex postea dictus est, in cum ævum agens patre orbatus remansit, cujus ætatem Franciæ primores incongruam, ut erat, exercendæ dominationis arbitrati, maxime cum jam recidivi Normanorum nuntiarentur motus, consilium de summis ineunt rebus; supererant autem duo filii Roberti comitis Andegavorum qui fuit Saxonicæ generis vir; senior Odo dicebatur, Robertus alter patrem nomine referens. Ex his majorem natu Odonem, Franci, Burgundiones, Aquitaniensesque Proceres congregati in unum licet reluctantem tutorem Caroli pueri regni que eligere gubernatorem, quem unxit Gualterius archiepiscopus Senonum, qui mente benignus & reipublicæ hostes arcendo strenuè præfuit, parvulum optimè fovit, eique semper extitit fidelis, quo obeunte recepit regnum Carolus puer qui vocabatur simplex, filius Ludovici.*

By this Passage of *Aimoin's* Continuator, 'tis apparent, that the Matter was only about a Regent. *Charles the Simple*, and *Eudes*, do
not

not stand in Competition for the Crown in the same Election. *Eudes* does not get the better preferably to *Charles*; he is only appointed Guardian to that young Prince; *He takes a great Care of him*, says the Historian, *and was always faithful to him*. These Words are not fit Expressions to denote a King of France. And *Charles* was no sooner in a Capacity to reign, than the Regent resigned to him the Administration of his Dominions, and by an Agreement made among themselves, he retired into the Provinces on the other Side of the *Loire*; The Emperor *Arnold*, who kept a strict Alliance with *Eudes*, seemed to be angry that *Charles* was set on the Throne during *Eudes's* Life, and he wrote a long Letter about it to *Foulks* Archbishop of *Rheims*, wherein he complains, that he had consecrated *Charles the Simple* without acquainting him with it. That Prelate answered him by Three Arguments. 1. That *Eudes* was a Stranger in the Royal Family, *qui ab stirpe regiâ existens alienus*; an Argument that a Man must be of the Royal Blood in order to be acknowledged true King. 2. When *Eudes* was intrusted with the Administration of the State, they did not think fit to elect young *Charles* for King, because of the War that was to be waged against the *Normans*. In a Word, he declares to the Emperor, That the Custom of the *French* Nation was, that the great Men, without any Influence from any-body, did chuse a Prince

of the Royal Family, to succeed the deceased King. * *Morem Francorum gentis asserit secutos se fuisse, quorum mos semper fuerit ut rege decedente alium de regiâ stirpe vel successionem, sine respectu vel interrogatione cujusquam majores aut potentiores regni eligerent.*

Therefore, according to that Contemporary Historian, the Kings under the Second Race were to be taken out of the Royal Family; *alium de stirpe regia eligerent.* He does not say the Sons of the late King, *filios*; nor the eldest Son, *primogenitum*, as M. Des Tuilleries says; but only *alium de stirpe regiâ.* If a Man was of the Royal Blood, it was sufficient for him to be elected King; and that Condition, to be of the Royal Blood, was so absolutely requisite, that Robert, Eudes's Brother, having possessed himself of *Aquitain* and *Burgundy*, whose Government his Brother had reserv'd to himself; when Charles the Simple assum'd the Reins of the Administration, the same Historian calls him a *Rebel*, and an *Usurper.* *Rebellavit Robertus princeps contra Carolum Simplicem, & quia ei pars regiminis quam Germanus suus Odo Francorum rex tenuit, non redhibebatur, palam tyrannidem invasit, quo magis cupiens eandem tyrannidem exercere, à quibusdam episcopis diademate se regio coronari ac sceptro insigniri ac iungi, partim blanditis, partim minis extorsit.*

* Flod. Hist. Eccles. Rhem. lib. 4. c. 5.

But that imaginary Royalty, and that real Rebellion, were extinguished by the Blood of *Robert*, who, the same Year, was killed in a Battle by the Troops of King *Charles the Simple*; *a Caroli ducibus interfectus est.*

Nevertheless the Usurper's Death, did not break the Measures of his Party: The Conspirators surprized King *Charles*, and shut him up in Prison, and placed in his room, *Rodolph* Duke of *Burgundy*; whilst the young *Lewis*, Son to the unfortunate *Charles*, escaped into *England*, to the King of that Nation, who was his Uncle. The Absence of the lawful Heir, did not hinder most of the Provinces, still to look upon the *Burgundian* as an Usurper; and in the Second Tome of the History of the House of *Auvergne*, * there's an Act taken out of the Register Book of the Monastery of *Brioude* in *Auvergne*, wherein the Date is not set down according to the Years of the Reign of *Robert*, as it was customary in those Days to date Deeds by the Years of the King's Reign; but there's this Date; "Done the Fifth Day before the Ides of " *October*, the Fourth Year since *Charles*, King, " has been degraded by the *French*, and *Rodolph* Elected against the Laws." Those Laws did then require, that a Prince must be of the Royal Blood, if he pretended to become

* See in the same Volume the Register-Book of *Sauvillage*.

King. And in the last Will of *Dacfred Duke of Aquitain*, are these Words, *Done the Fifth Year since the French did degrade King Charles, and elected, against the Laws, Rodolph for King.* M. Baluze, to whom we are beholden for this Act, also tells us, in his Notes on the Supplement to *Capitularies*, Tom. i. p. 1535. That after the Death of *Charles the Simple*, they only dated the First, Second, or Third Year, from the Death of *Charles*, *Jesus Christ* reigning, in Expectation of the lawful King; *Christo regnante, & regem expectante.*

That King, who was so impatiently expected, was no other than young *Lewis*, commonly called by Historians, *Lewis d'Outremer*, who came again into *France* after *Rodolph's* Death. He was elected, says the Monk *Glaber*, a Contemporary Author, by all the Great Men, to reign over them by the Hereditary Right he had to the Crown.

Totius regni Primates elegerunt Ludovicum, filium videlicet prædicti regi Caroli, ungentes eum super se regem hereditario jure regnaturum.

This sole Passage, which is so much to the Purpose, and of a Contemporary Author, is sufficient to prove what we have alledged, viz. That in the same Prince there were two Rights confounded; the Hereditary Right he had to the Crown, by his Family and Birth; and the Right he actually had to ascend the Throne, and take Possession thereof, by the Election
the

the Great Men of the State had made of him for their King.

Such has been the Custom in the First and Second Race, and I would willingly ask Father *Daniel*, who pretends, that there was no Hereditary Succession in the Second Race, and that the Election was open to all the *French* Lords; Whether those Lords, who, according to those Historians, were likely to see the first Crown of the Christian World pass successively into their Families: Whether, I say, those Lords would have so quietly suffered themselves to be deprived of so great an Advantage, by rendring the Crown hereditary in the sole House of *Hugh Capet*? How could so great a Change in the Form of the Government happen without Opposition? And can it be possible, that all the Contemporary Historians should have agreed to suppress a Matter of so great Importance?

On the contrary, What happened under the Reign of *Robert*, the second King of the Third Race, clearly demonstrates, that the same Principle of Government, and the same Laws, were yet in use at the Beginning of that Third Race.

Robert Son of *Hugh Capet*, having been, by the Consent of the Chief Men of the State, associated by his Father to the Crown, did think fit to transmit it in his Life-time, with the Consent of the same Lords, to his eldest Son called *Robert*; but that young Prince dying soon after his Inauguration, the King, says
Glaber,

Glaber, who had yet three Sons alive, began to consider with himself, which of those three Princes would be the fittest to succeed him; *Post cujus obitum capit iterum idem rex tractare qui potissimum filius post se regnare deberet.* Therefore the Crown was not Elective for all the Great Men of the State, as Father *Daniel* pretends; and that Crown did not necessarily belong to the eldest Son of the Royal Family, as M. *Des Tuilleries* asserts; for if the Electors and Great Men were obliged to prefer the eldest Son, it was in vain for the King to examine which of his three Sons was the most worthy to wear the Crown. But what follows will render this Way of arguing stronger, and, I dare say, more demonstrative.

The King after several Reflections, decided the Matter in favour of *Henry*, the eldest of his Sons; but, unhappily for that young Prince, he was hated by Queen *Constance* his Mother, who was a stubborn and obstinate Princess, and pretended, that her Will should be a Law to her Husband. She was continually discrediting her eldest Son, representing him as a Man who was a Dissembler, Weak, Base, Effeminate; and the 30th Epistle of *Fulbert* (from which I take all this) declares, That she liberally gave all the contrary Vertues to her youngest Son; and that a great many Bishops and Lords, to please her, and to ingratiate themselves into her Esteem, did speak the same Language: *Quem Henricum dicunt simulatorem esse segnem,*

segnem, molem in negligendo jure patrissaturum, fratri verò juniori attribuentes his contraria.

But in spight of those false Reports, the Party of *Henry* being still Superior, by reason of the Desire his Father had that he should be his Successor, the Queen and her Adherents, at least begged, as our Historian says (who was a Contemporary Author) that nothing should be decided about this Affair during the King's Lifetime, because they firmly believed, that after the King's Death, the Queen's Interest would get the better of that of her eldest Son.

Est autem (says a Courtier to *Fulbert* Bishop of *Chartres*, *Est autem*) *hac eorum ad componendam utrinque litem sententia, patre vivente nullum regem sibi creari*; which is an unexceptionable Argument: 1. That in the Beginning of this Third Race, the Election was yet used, but only amongst the Sons of the Kings, as in the Two former Races. 2. That it would have been very needless to examine, which of the three Sons of *Robert* did most deserve to reign, if an invariable Custom, as *M. Des Tuilleries* pretends, had necessarily determined the Electors Choice in Favour of the eldest Son of the Royal Family. Lastly, The Proposal made by the Queen's Party, *viz.* to put off the Election 'till after the King's Death, does clearly prove, that the Crown was not destinated to the eldest Son alone: For if that had been the Case, the Election was needless, and the Assembly was, at the most, only necessary to declare

clare the Right which accrued to him by the Privilege of his Birth.

But the King, in order to prevent a Civil War, which he feared this Competition among his Children might cause after his Death, convok'd an Assembly of the Great Men at *Rheims*, where Prince *Henry* was crowned. *Coadunatis denique rex metropoli Remis regni primatibus, stabilivit regni coronæ Henricum quem delegerat*: And the King's Choice, supported by the Consent of the Great Men, says *Glaber*, did set that young Prince on the *French Throne*. *Henry*, and all the first Kings of that Race, *Philip I.* being excepted, in order to avoid the Dissentions which are common in Elections, always, even in their Life-time, caused their eldest Sons to be Consecrated, as far as *Philip II.* *Henry*, of whom we are now speaking, did assemble, as *Mexeray* says, the Great Men of the Kingdom, and having told them what Services he had done to the State, and how happy he had been in the Command of the Armies, he desired them all in general, and every one in particular, to acknowledge his eldest Son *Philip* for his Successor, and to take their Oath to be faithful to him: And all of them having promised it, he had him Crowned at *Rheims*. These Associations to the Crown, established the Right of the eldest Sons in the reigning Family, and intirely abolished the Right of Election; insomuch, that from the Year 1180. when *Philip* began to reign, the Crown seemed so well settled on the Heads of
that

that Posterity of *Hugh Capet*, that such a provident Care was thought needless, and the Succession to the Crown, in the eldest Sons of each Line, became an inviolable Law, and such as it is even now observed, from above 700 Years.

We have seen in the First Part of this Discourse, That the Crown was constantly Hereditary in the *Merovigean* Family, and that all the Princes his Descendants, did succeed one another until *Childeric III.* for the Space of above 300 Years. And we have seen at the same Time, sometimes but one Prince upon the Throne, against the Pretensions of his Brothers, as *Dagobert I. Clotarius III. Thierri*; and sometimes the Monarchy divided betwixt several Brothers, as it happened after the Death of *Clowis*, and *Clotarius*; and sometimes Princes of a remote Branch, preferred to the Sons of the late King: All these Examples do at the same Time prove, that the Crown under that First Race, was Hereditary, as to the reigning Family, and Elective as to the several Princes of that Family.

Likewise in what I have related concerning the Second Race, the same Form of Government may have been observed, *viz.* That *Charlemain*, and *Carloman* his Brother, did succeed to *Pepin*, and *Charlemain* after *Carloman's* Death, was by his Subjects preferred to the Children of their King. And if some Usurpers do seize upon the Throne; if *Robert* and

and *Rodolph* cause themselves to be Crowned, that is no better Precedent, than to see *Gondebold*, called *Ballomer*, risen upon a great Shield during the First Race. What Nation is there, where the lawful Power has not suffered some Eclipse? But those Clouds soon vanish away: The lawful Heir is called out of *England*, and he is Elected, says History, to reign by an hereditary Right. Which seems to be a Paradox, but which is illustrated by the Rights which our Kings had equally from their Royal Birth, and from the Choice of the Nation.

In a Word, 'tis visible, that from the Beginning of the Monarchy, if we except two Usurpers, no *French* nor Foreign Lord did ever stand as a Competitor in those Elections; which proves, as I think, the hereditary Succession in the reigning Family. And the last Example of *Robert* Duke of *Burgundy*, who being assisted by the Interest of his Mother, disputed the Crown with his eldest Brother *Henry*, shews, that the Election in the Beginning of this Third Race, was yet in use, though there were but two Princes, and two Sons of the King who stood Competitors for the Crown. But ever since that Time, *i. e.* from 1032, when *Henry* I. ascended the Throne, the Crown always devolved, by a full Right, to the eldest Prince of the reigning Line; and the youngest of the same Line, or the eldest Princes of the youngest Branch, from above 700 Years, did never shew the least Claim to the Crown; 'Tis

to this *Epocha*, as I think, that we must keep close, when the Question is about the fundamental Laws of the State above that Time, *i. e.* under the First and Second Race of our Kings. By resuming the Thing so high, we are exposed to find some contrary Maxims and Examples. And I do even think that it may be said, That each Dynasty, and each reigning Family, has had its different Form of Government: What has been done in those so remote Times, does not concern us, but as much as it is authorized by the Laws and the Practice of the Third Race, which is the only certain and constant Rule of Government.



A
DISSERTATION
ON THE
OATHS
OF THE
ANCIENTS.

By the Abbot *ANSELM*.



LONDON:

Printed in the YEAR M.DCC.XXVI.

DISSEMINATION

ON THE

OATHS



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NOTHING was more sacred and inviolable amongst the Ancients, than Oaths; which were looked upon and called, The most holy Engagements, to which Men could voluntarily bind themselves: They were also esteemed the strongest Knot of Society: For Oaths reunited in themselves whatever could bring Men to Reason, and keep them within

due Limits. Whosoever bound himself by one of those solemn Obligations, did, as it were, contract with all the Powers of Nature. He became accountable to Heaven and Earth, and could not break his Word without irritating against him the Gods and Men.

Several learned Men have, indeed, written on a Matter which deserves so well to be searched into; but we may say, That they have considered it only according to the Principles of Jurisprudence, or of Ethicks: They did not treat of it under any Relation to the *belles Lettres*, and so they have deprived it of most of the Graces it might have received. Wherefore, I think it will be agreeable to the End or Design of this Society, if I endeavour to put this Part of Learning into a new Light, and to reunite, with good Order, the Charms and Solidity it may contain.

In order to this, I undertake to consider the Origin of Oaths: By what Gods the Ancients were used to swear: The different Ceremonies wherewith their Oaths were accompanied; The Use they made of them in civil Society; The religious Care wherewith they kept them; and, lastly, The Horror they conceived against those who had openly violated them; or who, by captious Interpretations, pretended to evade the Force of them. Under these Six Heads, I will endeavour to comprehend the chief Things which may be said upon so copious and extensive a Subject.

CAP. I. *Of the Origin of Oaths.*

Pythagoras, and his Disciples, had a very singular Opinion on the Origin of Oaths: It was, That the first Beginning of them must be sought for in the Bosom of the Deity itself. For, as they were persuaded that the Originals of all Things in Nature are to be found in God, they said, That from all Eternity the supreme Being having spontaneously resolved to produce Creatures out of Nothing, he had also bound himself by a voluntary Oath to preserve them in a certain Order, and to govern them by such Rules as he thought the most convenient. A magnificent and sublime Notion, which, 'tis very likely, they borrow'd from some Passages of the sacred Writings. Thus they imagined, that this eternal Oath was the Model or Original of all those which had been made in succeeding Times; and they taught, That, as the one was the Guardian, of God's Law (these are their own Words) so the others, which they looked upon as Shades and Images of the First, were Sureties for the Fidelity of Mankind. For my Part, I am apt to think, that these were too far-fetched Notions: But however, we cannot doubt, but that Oaths are almost as ancient as the World.

'Tis, indeed, very likely, that the first Men did not know the Use of them. Being newly come out of the Hands of their Creator, they

had yet remaining in them Footsteps of the Excellency of their Origin. That they might be faithful and sincere, they had no Need but of those Principles of Uprightness, which had lately been ingraved in their Hearts, and which Passions had not yet blotted out of their Souls. Mere Nature, which was their Guide, did lead them without any Obliquity, straightway to common Usefulness, from which they never separated the private Interest. Poets, whose Fables are almost always grounded on Truth, have represented to us this Time under the Notion of the *Golden Age*, and of which they have made so lovely and charming Descriptions. They assure us, that one of the chief Advantages Mankind then enjoyed, was, That Honesty and Plain-Dealing did then reign among Men. They lived with one another without Suspicions and Distrustfulness. They mutually believed one another on their bare Affirmation, and then knew not what it was to take Oaths, much less to break them. *In those first Days of the new created World*, says Juvenal, *the Greeks were not always ready to swear*: And if we may believe Mr. Boileau,

Le Normand meme alors ignoroit le parjure.

The Normans themselves were then ignorant of Perjury.

But

But these happy Times did not last long. Men soon forget the Designs of God in his creating them: And, far from considering themselves as Members of a great Family, they each aimed at private Interests. Every one minded nothing but to appropriate to himself those Things which, by their particular Designation, were to be common to all; and in order to make themselves great, they did not scruple to use the most unlawful Means. Then Men had no greater Enemies than their own Kind. In order to kill one another, they made use not only of Force and Violence, but even of Fraud and Deceit. They were then reduced to the sad Necessity of securing themselves from the Attacks of others. The most solemn Promises were too feeble Bonds: Wherefore, they endeavoured to give them a greater Weight and Authority by stamping them with the Seal of Religion; and they thought that those, who were not afraid to be unfaithful, would, perhaps, at least, fear to be impious: And so, to the Shame of Mankind, Oaths did take their Origine: An Origin which is very antient, since they began to be used almost at the Time that Men began to deceive. And here we may subjoin the Account which Poets, according to their Way, give us of this historical Truth: *Discord, the Daughter of the Night, says Hesiod, brought forth the painful Labours, Quarrels, Laes, ambiguous and captious Speeches,*
and,

*and, in a Word, Oaths, which are so deadly to all those Men who violate them. **

CAP. II. *By what Gods the Antients were used to swear.*

The Antients did at first swear by the *True God*. Human Reason, though already much impaired by Passions, did nevertheless perceive, that the most natural Guarantee of Truth, could be no other than H E, who, by his Essence, is Truth itself. Besides, Men being stuffed with I know not what Pride, grounded on the Excellency of their Nature, rightly thought, that if, in order to be credited, they must have Recourse to a foreign Surety, they were at least to look for it in a Being more perfect than themselves. Wherefore they used to swear by the supreme Being. In his Name are set down in Writing, the Four oldest Oaths we are acquainted with. That of *Abraham* to the King of Sodom; *I lift up my Hand before the Lord, the most high God, Possessor of Heaven and Earth.* That of the same *Abraham*, to King *Abimelech*, who

* Αὐτὰρ Ἐπὶ συγερὴ ἴεκε μὲν πόνον ἀλγύνουσα.
 Νείκεα ἴε, ψευδεῖς τε λόγους, ἀμφιλογίας ἴε.
 Ὅρκον θ' ὅς δ' ἡ πλείστον ἐπιχθόνιους ἀνδράπους.
 Πημαίνει, ὅτε καὶ ἴς ἐχὼν ἐπιόρκεν δμόσση.

Hesiod. Theog. 226.

tells

tells him, *Swear unto me by the Name of God, that thou wilt do me no Harm*: And Abraham answers to him, *I swear unto thee*. That of *Eliezer to Abraham, By the Lord of Heaven and Earth*: And lastly, That of *Jacob to Laban*, whose Words are very remarkable, *Jacob did swear by the Dread of his Father Isaac*, that is, as all Commentators interpret it, *By the God whom his Father Isaac did dread*. And what is most surprizing, is, that God, by an incomprehensible Condescendancy, was pleased to accommodate himself to the Weakness of Men, and confirm his Promises by Oath, as if they had been exposed to the same Uncertainty with ours. *I swear by myself*, says the Lord to Abraham, *Since thou hast done this Thing, and that in order to obey me, thou didst not spare thine only Son*.—Such were the first Oaths made in the World: August and venerable Oaths, whether we consider the Object of them, or the magnificent Words by which they were expressed.

But when Men, against all the Light of their Reason and Conscience, had abandoned the true God to frame to themselves others according to their Passions and Vices, Oaths had a Fate like unto that of Religion. They received as many Shapes as the Deity itself: And if the World was surprized to see itself stuffed with a prodigious Multitude of Monstrous Gods, it was no less amazed to see itself overwhelmed by a Flood of ridiculous Oaths. Then

it was, when Men, forgetting intirely their former Greatness, did abase and degrade themselves. They took for Guarantees of their Word, not only the Metals they had melted, but even the most abject Creatures, and the most vile Plants. In a Word, of the most despicable Things in Nature, they seemed to have a better Opinion than of themselves.

Thus the *Egyptians* did swear, not only by their Gods *Isis* and *Osiris*, who were at least represented under human Shapes; not only by *Anubis*, whose Head was like that of a *Dog*; not only by the *Ox-Apis*, by the *Monkey*, by the *Crocodile*; but even by the *Garlick*, *Leek*, *Onions*, and by all those Deities, which (to use the Words of the Satyrical Poet) did grow in their Gardens.

The *Persians* called the *Sun* to witness: And if we consider the Rank of that Star amongst the Works of Nature, and its wonderful Influence on all the Parts of the World, whose Soul, as it were, it is, this Nation was somewhat more to be excused than the *Egyptians*. However, it can't be deny'd, that on these, and several other Accounts, the *Sun* is one of the brightest Images of the Deity: Wherefore, that sort of Oath was much used by the *Greeks* and *Latins*. Witness this fine Verse of *Homer*; I call thee to witness, O *Sun*! who seest and hearest every Thing! *Ἡελιος ὃς πᾶν ἑροῖαι, καὶ πᾶν ἑπακούεις*. A Verse which *Virgil* thus imitates, *Aeneid*. IV. *Sun! who by thy Rays dost*

dost enlighten whatever is done on Earth! *Sol, qui ferrarum flammis, opera omnia lustras*; and *Aeneid. XII. Esto nunc Sol testis, &c.*

The *Scythians* also used an Oath, which was somewhat noble and lofty, and which agreed well-enough with the somewhat fierce Character of that Nation. They swore by the *Air* and *Scymetar*, their Two Chief Gods; by the *Air*, as being the Principle of Life; and by the *Scymetar*, as being one of the most ordinary Causes of Death. In *Lucian's Dialogue*, concerning some memorable Examples of Friendship, the *Greek* Interlocutor falls upon the *Scythian*, about that kind of Oath, and says, That such a barbarian Nation might as well swear by the *Javelin*, *Spear*, and *Poison*, because those pernicious Inventions, did no less frequently cause Death, than *Scymetars*. But that *Grecian*, by giving a too great Scope (according to the Genius of his Nation) to the eager Desire of Talking and Bantering, does not consider, that he gave the *Scythian* a fair Occasion to retaliate, and to ridicule the great Number of Oaths used by the *Greeks*, and which were very little more reasonable, than those used by *Scythians*.

In a Word, both *Greeks* and *Romans* swore by Gods who were common to them. And how great was the Number of their Gods! They not only adopted the Gods of other Nations, but they even brought forth a vast many new ones: Sometimes they swore by One, some-
time

times by Two, and often by all of them put together. And they did not preserve to their Gods alone, the Privilege of bearing Witnesses to Truth: They made their Demi-Gods Partakers of the same Honour; and they swore by *Castor*, *Pollux*, *Hercules*, &c. with this Difference however, that Men only used to swear by *Hercules*, Men and Women by *Pollux*, and Women alone by *Castor*. And yet these Rules were not inviolably kept; for though *Aulus Gellius*, positively asserts, that we shall never find in any single good *Latin* Author, that ever any Man swore by *Castor*, yet we have a remarkable Passage of it in *Plautus*, who, according to the same *Aulus Gellius*, is one of the best *Latin* Authors. Young *Argyrippus* tells his Mother: *By Castor, my Father had promised, that he would steal away your Scarf, to give it as a Present to his Mistress.* *E Castor, quin surrepturum pallam promisit tibi.* *Accidalius*, 'tis true, in order to preserve *Aulus Gellius*'s Credit, and to secure an Ancient from being in the Wrong, makes some Corrections in this Place, and, without any more ado, he reads *Oedepol*, instead of *E Castor*; but he acts in this against all Editions and Manuscripts. Wherefore *Vossius* does not scruple to call such a Correction, a Piece of Assurance.

But omitting to enumerate all the Gods, by whom the *Romans* used to swear, and which are known by every Body; I will say but two or three Words of the God and Goddesses, who, according

according to them, particularly presided over Oaths. The Goddess was *Fides*, *Faith* or *Fidelity*. It held a considerable Rank in Religion, and was looked upon, as the chief Conservatrix of Publick Safety. It was commonly called *Old* and *Ancient*, *Cana fides*, to denote that the Ages in which she had been in her greatest Vigour, were already very remote. She was also called *Rare*, *Rara*, almost for the same Reason, to give us to understand, that she was hardly any more to be found among Men. She had no other Cloaths than a white Veil, a Symbol or Badge of her Sincerity and Open-heartedness; *Te spes, & albo rara fides colit velata panno*, says *Horace*.

Her Priests, in their Ceremonies, used the same Colour. The Sacrifices offered to her, were enjoined to be bloodless, because she abhorred, even the least Appearance of Slaughter. *Dionysius Halicarn.* asserts, That King *Numa* was the first Man, who built a Temple, and established a Worship to this Goddess. In process of Time, the *Romans* placed her Statue in the Capitol, near that of *Jupiter*. *Quam in Capitolio*, says *Cicero*, *vicinam Jovis Optimi Maximi majores nostri esse voluerunt*; for they imagined that she was really venerated by *Jupiter* himself, whose Oaths she sealed. This *Ennius* tells us, in that Place, cited, and so much applauded, by *Cicero*.

O! *Fides alma, apta pennis, & jusjurandum Jovis!*

O Godlike Faith! worthy to be set on the highest Part of Temples, who, properly speaking, art nothing else but the Oath itself of Jove!

The God whom the Romans gave as a Second to the Goddess *Fides*, was he whom they called *Dius Fidius*, and who would, perhaps, deserve a particular Dissertation: At least, hitherto, no Body has well explained what concerns him. And what puzzles most, is, that the Ancients themselves, seem not to have had very clear, nor very distinct Notions about him. What is the best known, is, that he presided over the Religion of Oaths; but as for his true Genealogy, the Purport of his several Names, and the true Manner of reading them, are not known. *Dionysius Halic.* seems to confound him with *Jupiter*, for in several Places where he is obliged to translate the God *Dius Fidius* of the Romans, he renders that Word by the *Ζεὺς πίστιος* of the Greeks. But none of the best Criticks follow him in this: Most of them think this God to be the same with *Hercules*, and that these Two Words, *Dius fidius*, signify nothing more than *Jovis filius*. Our Ancestors, says *Festus*, often used the Letter *d*, instead of *f*; and pronounced *Fidius*, instead of

of *Filius*. That was also *Ælius's* Opinion, as *Varro* says. Some take this God for *Janus*, others for *Sylvanus*, the God of *Forests*; but those who pretend to have the best searched into this Matter, maintain, that he was a foreign God, whom the *Romans* had borrowed from the *Sabins*: They ascribe to him a miraculous Birth, which did even in these superstitious Times, seem to be very ambiguous and doubtful. In the Country of *Reatum*, says *Dionysius Halic.* a young Gentlewoman, at the Head of a Troop of young Women-Dancers, enter'd into the Temple of *Oenyalus*, whom the *Sabins*, and the *Romans*, according to their Example, call'd *Quirinus*. Nevertheless, I cannot positively say, continues that Author, whether it be the God *Mars*, or some other God, who enjoy'd the same Honours; for there are some who think that *Mars* and *Oenyalus*, are but two Names given to the same God; and others pretend that they are Two distinct Gods: However, that young Girl dancing in the Temple, was seized with a divine Transport, and leaving her Fellow-Dancers all on a sudden, went and shut herself up in the Sanctuary. Nine Months after she was brought to Bed of a Son, who was called *Modius Fabidius*. *Portus* is in the Right to correct *Diis fidius*. When this Son came to the Age of Manhood, he was Handsomer than Men are used to be, and became a famous Warrior: And having a Mind to build a Town, he got together in a

little while, a pretty numerous People, and founded the City of *Cures*, to which he gave that Name, taken from that of *Quirinus*, who was looked upon as his Father, or from a Spear called *Képis* by the *Sabins*. St. *Austin* assures us, That this God *Dius fidius*, was the first King of the *Sabins*, who, after his Death, did not fail to set him in the Number of the Gods. They add that he left a Son called *Sabus*, from whom the whole *Sabine* Nation took their Name.

There are no less different Opinions concerning the Names of this God, than concerning his Origin. The Three which were usually given to him were, *Sancus*, *Fidius*, and *Semipater*. And *Ovid* seems to doubt, whether they were not Three distinct Gods, or but one; *I did not know*, says he, *to whom I was to consecrate the Fifth Day of June, whether to the God Sancus, or to the God Fidius, or to the God Semipater.*

*Quarebam nomas Sanco, Fidione referam,
An tibi Semipater, &c. **

He adds, That the God himself was pleased to rescue him out of that Uncertainty. *You cannot mistake*, replies he to him, *by Consecrating to me that Feast, under one of those*

* *Fast. lib. vi. 215.*

*Names; for they do all Three belong to me:
Thus would the Sabins have it.*

*Cuicumque ex istis dederis, ego munus habebō;
Nomina trina fero: Sic voluere Cures.*

But how must these Three Names be read? 'Tis a new Matter of Dispute among learned Men, who agree only in that of *Fidius*; and are waging an implacable War about *Sancus*, and *Semipater*: For, to begin with the First, some read *Sancus*, others *Sangus*, and others *Sanctus*. These last will have the God *Dius fidius* particularly called *holy*, because as God of Oaths, he was peculiarly bound to be Un-corruptible and Upright; from whence they pretend also to infer, that this God was the same with *Hercules*, who is also often called *Holy* by Poets.

Quidam immolasset verrem cum sancto Herculi, says *Phædrus*. But it were easy to prove, both by several Passages and Medals, that this is not a convincing Proof; and that the Epithet *Holy* was indifferently given to all the Gods. As for the last Name, some read *Semipater*, and interpret the Word by *Semi God*. Others *Semicaper*, because they are persuaded, that *Dius fidius* was the same with *Sylvanus*, who, as well as the rest of the Rural Gods, was represented with Goat's Feet. *Lastly*, Most do read *Semipater*, and assert, That the Ancients called *Semones* certain middling Gods, who

dwelt in the Air, because having not sufficient Qualifications to be Gods in Heaven, they had at the same Time, too much Worth to be only Gods on Earth. * *Semones dici voluerunt Deos, quos neque cælo dignos adscriberent ob meriti paupertatem neque terrenos eos deputare pro gratia Veneratione.* However, 'tis certain, that this Epithet was often given to *Sancus*. It was ordered, says *Livy*, lib. 8. that *Vitruvius's House*, situated on Mount Palatine, should be demolished, and that his Goods should be consecrated to the God *Semo Sancus*.

Thus concerning this God, Learned Men are divided into several Sects; but what makes it so difficult to chuse among so many Opinions, is, that every one of those several Authors have their Authorities for it: And that out of so many different Readings, there's none but what are grounded on old Manuscripts, and on ancient Inscriptions. And if we are to believe some Criticks, who seem the rather to be credited, that they appear more remote from Partiality; the Likeness there is betwixt these Two Words *Semo* and *Simo*, has been the Occasion that *St. Justin the Martyr* fell into a Sort of Mistake; for, according to them, that *Greek Father*, who was, perhaps, not well acquainted with what concerned the Language and Customs of the *Romans*; from some Inscriptions of *Semo*

* *Fulgeret de prisce. Sermone.*

Sancus, imagined that it must be meant of *Simo Magus*; and so, giving himself up to his Zeal, he did not fail vehemently to charge the *Romans*, that they were not ashamed to admit among their Gods, an errant Impostor. Several other Fathers did the same, and copied him; as it is pretty often the Custom among Writers. But if they were mistaken concerning him whom they supposed the Object of their Invectives, their Way of arguing was no less strong in the main, since it is certain, that God for God *Semon*, every Thing well considered, was no better than *Simon*.

We must say something about the Temple *Dius fidius* had at *Rome*. It was situated on Mount *Quirinal*: But a new Difficulty is here-upon started; for on one side, *Ovid* positively says, that this Temple was the Work of the ancient *Sabins*;

*Hunc igitur veteres donarunt æde Sabini,
Inque Quirinali constituere jugo. **

And on the other Side, *Dionysius Halicar.* expressly asserts, That *Tarquinius Superbus* had built it, and that about 40 Years after the Death of that King, *Spurius Posthumus* being Consul, made the Consecration of it. Some endeavour to reconcile this Contradiction, by saying,

* Fast. vi. 217.

That the ancient *Sabins* had built to God *Fidius* only a Chapel, and that *Tarquinius* built a Temple to him.

But to omit that useless Erudition, which is scattered up and down in a thousand Authors, and which I only endeavour'd to explain in some Order, and a little less confusedly; what is certain, is, That this God, whoever he was, and whatever Name he had, presided over the Sanctity of Oaths, and that for that very Cause, he had for his constant Companions *Honour* and *Truth*. An ancient Marble testifies it; for on one Side it represents a Man dressed like a *Roman*, near whom is written *Honor*; and on the other Side, a Woman crowned with Laurel, with this Inscription *Veritas*. Those Two Figures shake Hands together. In the Middle there is a very Handsome young Man, over whom are written these Words *Dius fidius*.

Though the Oaths, of which mention has been made, were common throughout all *Greece* and *Italy*, yet there were some, which were more used in This, than in That Place. And so at *Athens*, their ordinary Way of swearing was by *Minerva*, who was the Tutelary Goddess of that Town. At *Lacedæmon*, by the Sons of *Jove*, *Castor* and *Pollux*, who by their Mother's side, were sprung out of the Kings of the Country. In *Sicily*, by *Proserpina*, because it was there that *Pluto* ravish'd her:

her: In that same Island, along the River *Simethus*, by the Gods *Palici*:

* *Simethia circum
Flumina, pinguis ubi & placabilis ara Palici.*

These Two Gods are not well known neither. They were Sons of *Jupiter*, and the Nymph *Thalia*. That God being greatly afraid of *Juno's* Passion, hid the Nymph under Ground, during the whole Time of her Pregnancy: She did not appear again, till she had made him Father of Two Twins. The Inhabitants of the Place, in Process of Time, chose them for their Gods, and built them a magnificent Temple. Their Altar became the *Asylum* of unfortunate People, and especially of fugitive Slaves. Men there took their Oaths with a great deal of Solemnity, and, as we shall relate in its proper Place, with a very singular Ceremony.

But not only Countries and Towns, but private Men also, had certain Oaths which they used often, according to their several Conditions, Engagements, Likings, and the Inclinations of their Heart. The Vestals swore by the Goddesses to whom they were Consecrated. Marry'd Women by *Juno*, who presided over the Peace and Prosperity of Families.

The Husbandmen by *Ceres*. The Vintagers by *Bacchus*. Huntsmen by *Diana*. Lovers by *Venus* and her Son, &c.

And they swore not only by the Gods, but also by whatever did belong to their Empire; by their *Temples*, by the *Marks of their Dignity*, by the *Arms* which were proper to them. *Juvenal*, who sometimes gives himself up a little too much to his *Enthusiasm*, and of whom we may say with as much Reason as of *Seneca*, that he does not always know when to stop, gives us a long Legend of the *Arms* of the Gods, by which profess'd Swearers pretended to give some Weight to their Words. *A Man of that Character*, says he, *dares in his Oaths, both the Beams of the Sun, and Jove's Thunderbolts, and Mars's Sword, and Apollo's Darts, and Diana's Arrows, and Neptune's Trident, and Hercules's Bow, and Minerva's Spear, and, in a Word, adds that Poet, with equal Emphasis, whatever Arms are contained in the Arsenals of Heaven:*

Quicquid habent telorum arma mentaria Cæli.

Thus when Men, by their own Fault, had lost all manner of Credit, did they catch at every Thing, in order to give again some Authority to their Word; and thought that when by their Conduct, they had given just Occasion of distrusting their Uprightness and Plain-Dealing, their Speeches would sooner be believed than their

their Actions, if they interposed the Testimony of the most frivolous and despicable Things ! And what is still a greater Wonder, those who particularly profess'd to be addicted to the Study of Wisdom, were not on this Account wiser than the common People. Yet *Pythagoras* must be excepted : That first Author of Philosophy, did never Swear but by the Mysterious Number *Four*, which he esteemed to be the Number of Numbers, and for that Reason, as the Symbol of Duty, *Μα τὴν τετραχλὺν* by the Sacred Quaternary, *πρὸς ἀεὶ ἀναδὸν φύσεως*, Principle of the Eternal Course of Nature. His Disciples, for Reverence-Sake, forbore using that Oath, and simply swore by their *Master*, scrupling even to name him ; for they did not only attest a Truth in these Words, *He himself has said it*, but they sometimes added, *The Thing is so, I swear it by Himself*. If we are to believe the learned Man, who lately reveal'd to us their most secret Mysteries, their main Drift was to denote thereby, that when a Man teacheth to others the most excellent and sublime Truths, he is to be honoured, even as far as to swear by him ; and though he be but a Man, to consider him as a God on Earth. Most part of the Philosophers fell, or seemed to fall, into those popular Extravagancies. *Zeno*, Head of the Stoicks, was used to swear by the *Caper-Tree*, *per Capparin*, a Sort of Tree that bears that little Fruit which is so commonly Pickled in Vinegar. *Socrates* did, indeed, often swear by the *True God*, by
the

the *God who presideth over Friendship*; but he let slip some Oaths, from which the Enemies of that great Man, have taken Occasion to insult his Memory; for we read, that he happened to swear by the *Dog*, the *Goose*, and the *Plane-Tree*. *Arnobius* lays it at his Door as a great Crime. But *St. Austin* clears him, and pretends that *Socrates* would thereby prove to Mankind, that a *Dog* itself, being the Work of God, deserved a greater Honour, than all the Idols by which they used to swear. *M. Dacier* thinks, that this great Man aimed thereby, to accustom Men by Degrees, not to take so often God's Name in vain. But the Heathens themselves well perceived, that by that manner of swearing he indirectly attack'd the Gods; for *Lucian* in the Dialogue, whose Title is, *The Philosophers at the Auction*, introduces *Socrates* speaking with a Merchant: *Nothing is more true*, says *Socrates*; *I swear, it by the Dog and Plane-Tree*. *Those*, answers the Merchant, *are comical Deities*. *How so*, replies *Socrates*, *is not the Dog a considerable God? Are you ignorant of what Anubis is in Egypt, the Dog-Star in the Sky, and Cerberus in Hell? You are in the Right, I did not think on it*, answers the Merchant.

No body will think, that *Lucian* has a Mind to makes us believe, that *Socrates* speaks in Earnest in this Place: But how can we suspect *Socrates* to utter seriously such Discourses, if we but a little regard his Character, and are acquainted

quainted with the skilful and indirect Way, wherewith he was used to present the Looking-Glass to the ridiculous Follies of Men.

But in a Word, when Men had, as it were, walked their Oaths through the vilest Beings, they fell at last on *Themselves*. They would not have it said, that, according to their own Confession, there should be nothing in Nature but *Themselves*, whose Testimony could justly be exceptionable: Wherefore, they swore both by *Themselves*, and by those Persons who were *dear to them*; As, first; Whether those Persons were already dead:

Ossa tibi juro per matris, & ossa parentis,

says Propertius, El. xvii. lib. 2. *I swear it by the departed Souls of my Father and Mother.*

Quintilian says of his Wife, and of a Son he had lost when they were very young; *Per illos manes, numina doloris mei: I swear it by their Manes, the sad Deities of my Grief.* And Horace, Ode viii. 9. lib. 2.

Expedit matris cineres opertos fallere.

Your Perjuries themselves turn to your Good, and you get by violating your Mother's Ashes.

And, 2dly, Whether those Persons were yet Alive; and they did then swear, either by the whole Body in general; as, *I call the Gods to witness, and you, my Sister: Testor, cara, Deos,*

Deos, & te, Germana, cries out *Dido*,
Aeneid. IV. Or by some particular Part of
 the Body.

Amongst these last Oaths, one of the most
 venerable was that, whose Object was the
 Head. For the Ancients look'd on that as the
 most noble Part of the Body, and the Seat of
 the Soul: At least according to the most re-
 ceived Opinion. *I swear it by my Head*, says
 young *Ascanius*, *by which my Father was used*
to swear. *Per caput hoc juro, per quod pater*
ante solebat. And *Dido*, in the forecited
 Place, *I call you to witness, Sister, and your*
Head, which is so dear to me. *Et te, Germana,*
tuumque dulce caput.

They had also a great Regard for the Oaths
 which were made by the *Right Hand*; for
 that Hand has been looked upon in all Times,
 and by all Nations, as the Pledge of Fidelity.
 And in that solemn Embassy which the *Trojans*
 sent to King *Latinus*, *Ilioneus*, who speaks in
 the Name of the rest, thinks that he could not
 give a greater Force to his Discourse, than by
 this great Oath, *I swear it by Æneas's Fate,*
and by his Right-Hand; which is as faithful
in Treaties, as it is dreadful in Battles.

Fata per Æneæ juro, dextramque potentem,
Sive fide, sive quis bello est expertus & armis.

They also swore by the *Eyes*, and it was the
 most ordinary Oath of Lovers:

Per

Per me perque Oculos, Sidera nostra tuos.

Says Ovid. And in another Place, *I do*, says he, remember, that very lately she swore to be faithful to me, both by her Eyes and by my own, and mine had a Foresight of the Treachery she prepared for me. Amor. Lib. iii. Eleg. 3. 13.

*Perque suos illam nuper jurare recordor
Perque meos oculos : & dolere mei.*

But when Men had thus given to the Parts of the Body a Right which properly belongs to none but to the Supreme Being, and were so blinded that there could be no Extravagancy they did not fall into, they ascribed to that Being a *Body*, like unto ours : Wherefore they invented some Oaths, which were intirely injurious to the Supreme Majesty : And so we read, that there was a Time when nothing was more common than to swear by the *Head* and *Hair* of God ; a Sort of Oath which lasted a long Time after the Establishment of Christianity, until at last, towards the Middle of the 6th Century, *Justin*, by a Constitution made on Purpose, prohibited, under very severe Penalties, that unbecoming and scandalous Way of Swearing.

But

But Men did not content themselves to swear by other Men, who were dear to them. If *Tenderness* had its Oaths, *Politicks* had also theirs. They soon apply'd, for the Sake of Self-Interest, what they had done at first by Affection. People grew fond to swear by those who were their Superiors, though they did not much love them. That Custom of Swearing by Princes is very antient; it was common in *Egypt*. By Pharaoh's *Health, or Life, you are Spies*, says *Joseph* to his Brethren. The *Scythians* practis'd the same as to their Kings. And even on this Account, they had a comical Superstition. They thought that the King's Health depended upon the Use his Subjects made of Swearing: So that whenever the King was a little out of Order, they doubted not but that some rash People had taken his Name in vain, or falsely: And then they made very exact Inquisition; and if any Body was found guilty, he was very severely punished. The *Romans*, who run upon Extrems both as to Vertue and Vice, and who, from the Freest People, became the most Servile, made Use of the same Flattery as to their Masters, and even with so great Affluence of Words, as never was the like. They swore by the *Genius*, by the *Health, Fortune, Majesty, Eternity* of the Emperor. *Tertullian* vehemently inveighs against that impious and sacrilegious Baseness, and charges them, that they would have rather chosen to forswear them.

themselves when they swore by all the Gods together, than by the sole *Genius* of *Cesar*. But a great Mortification for the Sovereigns of the Earth, was the strange Fancy one of them had, and which should have proved to all the others the Vanity and Nothingness of an Homage which was so charming and flattering to them. *Caligula*, either by a secret Envy to insult in a cruel Way at the Baseness of the *Romans*, or by an Infatuation, of which all the foregoing Ages could not afford an Example, was used to swear by the *Health*, *Fortune*, *Genius* of his *Horse*. He so dearly loved that *Horse*, says *Suetonius*, That he had him brought to eat at his Table, and used to swear by him, with as much Solemnity, as he did by his Gods: *Ex equis unum sic amavit, ut ad cenam invitaret, perillius salutem fortunamque concipere juramentum solitus*. No Wonder then if he was so jealous of the like Honour for himself. He was so nice on this Matter, that, according to the same Historian, he had several People put to Death, for no other Cause, but because they had never swore by his *Genius*.

'Tis easy to believe, that Princes were not long before they took Possession of an Honour, which Mens Flatteries had ascribed to them. They were prone enough to consider themselves as sure Guarantees of Truth, and in Order to establish, by their own Example, an Usage, which, in some Measure, made them

them Gods, they swore not only by their *sacred Person*; but also by their *Diadem, Throne, Sceptre*.

But having given a true Picture of Mens Misery, in the ill Use they made of Oaths, I must present you with a rough Draught of that of the Gods, who made as shameful an Abuse of them. If they had been what they were called, they would have considered themselves as the sole Guarantees of Truth, and would never have sworn, or at least but by *Themselves*. But as they were the Product of Lyes, they did themselves Justice, and thought, according to our Example, that their Words required a foreign Warrant. Every Body knows that they ordinarily swore by *Styx*, which we are used to consider under the Notion of a God; but which the *Greeks* looked upon as a Goddess. *Hesiod* gives a very long Account of whatever concerned that Deity, very dreadful to all the rest:

Dii cuius jurare timent, & fallere numen.

Aeneid. VI. 324.

She was the Daughter of *Oceanus*, and was married to a certain God, named *Pallas*, by whom she had a Son and Three Daughters, *Zelus, Victory, Strength and Power*. They all Four vigorously embraced *Jove's* Part, in his defensive War against the *Titans*. *Jupiter*;

in order to reward the Children, ordered, that thenceforth, all the Gods should swear by the Mother; and did, at the same Time order very severe Penalties against whatever God should be so bold as to violate such a venerable Oath:

— — — — — ὅτε μέγιστος

Ὅρκῳ, δεινότατ' ὅ τε πέλει μακαρίσσι θεοῖσι.

For nothing was more terrible than the exemplary Punishment inflicted on the perjuring God. He was put to a Penance that lasted nine Years.

Εννέα πάντ' ἔτεα.

During the first Year, he was obliged to keep his Bed without Voice and Breathing, and plunged in a deep Lethargy:

— — — — — Κεῖται ἀνάπνευστ' ἢ ἄνωδ' ὅ
Στρώτοισι ἐν λεχέσσι, κακὸν δ' ὅτι κῆμα
καλύπτει.

He did not come out of this Sort of Inanition, but to begin a more sad Life. During the eight following Years, he was turned out of Heaven, excluded from all the Councils of the Gods, and, which was perhaps more grievous, from all their Repasts:

οὐδέ ποτ' ἐς βούλην ἐπιμίσγεται, οὐδ' ὅτι δαΐτας.

But at last, on the tenth Year, after having expiated his Crime, he took his Place again, and entred into all his Rights :

Δίκαιον δὲ τιμίσσεται ἀνθρῶπις
Εἰρέας ἀθανάτων, οἳ δ' Ὀλύμπια δώματ' ἔχουσι.

* In this Dissertation I have endeavoured to inquire, 1. Into the Origin of Oaths. 2. By what Gods the Antients used to swear. 3. The several Ceremonies wherewith their Oaths were followed. 4. Their Morals about their Binding. 5. The Use they made of Oaths in civil Society. 6. The Aversion they had against those, who violated their Oaths. Out of these Six Heads I have treated of Two ; now I must speak of the Four last.

C A P. III. *Ceremonies used in Oaths.*

We have seen that Honesty, in Order to maintain itself, was obliged to borrow the Help of Oaths. But Oaths, in their Turn, to preserve their Authority, must apply to some outward Ceremonies : For Men, who are absolutely governed by Sensations, desired to be struck with sensible Images : And let it be said, to the Shame of their Reason, the pont-

* Here begins the 2d. Part of the Dissertation, read Febr. 10, 1711. by the Abbot *Massieu*.

pous Preparations had often a greater Influence on them, than the Oath itself.

The oldest, and perhaps the plainest and most natural Way of Swearing, was by lifting up the Hand; at least it was after that Way, that was made the oldest Oath, recorded to us. *I will lift up my Hand before the Lord, the most High God, says Abraham.* This Custom, which seems to have been afterwards spread throughout all the World, soon introduced several others. Men were not satisfied with this great Simplicity. Those who by Reason of their Rank and Dignity were distinguished from others, would even in this Ceremony, make a Shew of the Symbols and Instruments of their Dignities or Employments. And so Kings lifted up their Sceptre; Generals their Spears or Shields; Soldiers their Sword, whose Point they sometimes set to their Breast, as *Amm. Marcellinus* says.

They afterwards thought, that when Place and other Circumstances permitted it, they must associate sacred Things. And so it was ordered that Oaths should be taken in Temples; and moreover, those who swore, were bound to touch Altars. We read in the *Greek History*, that *Xenocrates*, one of the most upright Men that ever was, being once called to give a Testimony, advanced towards the Altar, in order to swear after the usual Way. But all the Judges opposed him, and cried out all at once, *Xenocrates's Testimony is worth*

an Oath. Every Body knows, that it was the same Custom which caused *Pericles* to answer some People, who urged him to take an ambiguous Oath for a Man with whom he had lived in Friendship during a long While: *I am a Friend to the Altars.* The same Thing was practised by the *Romans*, as we see in their Writings. *Tully* speaking of *Falcidius*, who, in a Cause of great Moment, had sent his Evidence in Writing; *This Man*, says he, *pretends to be believed, when he testifies by Letter; him whom no body would believe though he should do it, his Hand on the Altar.* And *Juvenal*, thundering against the corrupted Manners of his Age, boldly says, *That it abounds with perjured Men, who are not afraid to touch any Altars. Intrepidi quæcunque altaria tangunt.* Sat. 13.

And even then, that Circumstance was esteemed to be so essential and necessary in some Oaths, that when those, who were to swear, were far from Temples; they instantly erected some Altars: And they had even portable Altars, which they set up in the Place where the Oath was to be taken.

They also often, in Time of Swearing, sacrificed Victims, made Libations, and to all this they joined Forms which were fit for the Remainder of the Pomp. It were an easy Thing to relate several Examples of it; but *Homer*, *Iliad* II. affords us one, which by its long Recital, is worth all the rest. The Greeks and the

the *Trojans* being equally discouraged at the Fatigues of a long Siege, resolved to put an End to their Dispute by a Duel : They put their Quarrel into the Hands of *Menelaus* and *Paris*, the two chief Authors of the War. They chuse a convenient Place ; they draw up the Conditions, and prepare every Thing for taking the Oaths : The Heralds at Arms bring Victims ; they fill up with Wine the sacred Vessels, and pour some Water on the Hands of the Kings, who were also to act the Office of Priests. Then *Agamemnon* advances to the middle Interval betwixt the two Armies, and, his Scymetar in his Hand, *Gods of Heaven, of the Earth, and Hell, be,* says he, *both Witnesses and Mediators of the Treaties we are to swear.*

Μάρτυρες εἴσε, πελάσσετε δ' ὄρκια πῖσε.

Thus he speaks, and thrusts the Iron into the Throat of the Victims. They on all Sides pour Wine out of the full Cups ; and the *Greeks* and *Trojans*, from File to File, cry out, *Jupiter, the Spring of all Glory and Greatness ; and You, as many as you are, Immortal Gods ;*

Ζεῦ κῆδε, μέγιστε, ἢ ἀθανάτοισι τοῖς ἄλλοις.

Whosoever among us, shall be so bold as to violate the first so solemn Oaths ; Let his Blood, the

G 3

Blood

*Blood of all his Family run on the Earth, as
this Wine and the Blood of these Victims do
run upon your Altars.*

Ὀππότεροι πρότεροι ὑπὸ ὄρκια πημήναιαν
Ὡς δὲ σφ' ἐγκράλα χαμάδις ῥέσι, ὡς ἔδε
οἶντο
Αὔλων, καὶ τελέων. —

And even sometimes, to render this Pomp
more dreadful, those who bound themselves
by Oaths, dipped their Hands into the Blood
and Intrails of the Victims. This we learn
from *Æschiles* in his Tragedy, whose Title is
The seven Captains before Thebæ. Whatever
Force the Verses of this Poet may have in his
Tongue, I don't know whether they can trans-
cend the Translation made of them by a
Person who was one of the greatest Orna-
ments of this Company, and of his Age.

*Sur un bouclier noir Sept Chefs impitoiables
Epouvantent les Dieux de serments effroiables.
Pres d'un Taureau mourant, qu'ils, viennent
dégorger,
Tous la main dans le sang jurent de se vanger.
Ils enjurent la Peur, le Dieu Mars & Bel-
lone.*

*On a black Shield seven unmerciful Captains do
frighten the Gods with their dreadful Oaths.
Near a dying Bull, which they had just killed,
having*

having all of them their Hands in the Blood, they swear to be revenged. They swear by the Goddesses Fear, by Mars, and Bellona.

But among all these Ceremonies, which were common to all People, there were some particular to each Nation ; but all of them different, according to their several Religions and Characters. We read, Gen. xxiv. that *Abraham* requiring an Oath from *Eliezer*, bids him to touch his Thigh ; *Put thy Hand on my Thigh*, says he to him, *and swear unto me, that thou wilt not marry my Son with a Canaanitish Woman, but that thou wilt look for him a Wife out of my Kindred.* *Jacob*, when he was dying, prescribes the same Ceremony to *Joseph*. * *Touch my Thigh, my Son ; and swear unto me, that thou wilt not bury me in Egypt, but that thou wilt carry my Bones into the Grave of my Ancestors.* Whereupon the Historian *Josephus* says only, *That this was a general Custom among the Hebrews, who, according to the Rabbins, swore after that manner, in order to honour Circumcision.* But the Fathers say, that on this Account, neither *Josephus* nor the Rabbins did speak the Truth, They say, that if this Way of Swearing had been then so common, the Scriptures would have mentioned it oftener. And yet they do never mention it but in the two forementioned Places ;

* Gen. xlvii.

from whence, they think, they may infer, that so singular a Ceremony was peculiar only to the Patriarchs, who thereby demonstrated their firm Belief, that the Messiah should one Day spring out of their Race.

The Scythians accompanied their Oaths with Customs that were intirely agreeable to their Genius. When we have a Mind, says one of them, in *Lucian's* Dialogue about Friendship, to swear a mutual Friendship, after a solemn Way, we prick the End of our Finger; and the Blood dropping from it we receive into a Dish. Every one dips the Point of his Sword in it, and carrying it to his Mouth, sucks that precious Liquor. That is among us the greatest Sign that can be given of an inviolable Friendship, and the most infallible Proof of our Readiness, to shed for one another the last Drop of our Blood. This same Scythian also relates another Ceremony which they observed, and which is no less surprising. When one of them had received some Wrong; and was too weak by himself to revenge it, he roasted an Ox, had it cut in Pieces, and his Hands being tyed behind his Back like a Prisoner, he seated himself on the Skin in the Middle of all that Heap of Meat. Those who went that Way, and had a Mind to help him, took a Piece, and obliged themselves to bring to him, some five Horsemen, others ten, each according to his Ability; and those who could afford no greater Help, promised to come themselves. If we are to believe that Scythian, they thereby

assem.

assembled great Forces, more considerable by their Valour than by their Number ; because they were composed of Men, who listed themselves for *Honour* and *Friendship's* Sake, and who moreover thought themselves bound by an indissoluble Oath. After these formal Passages, which teach us not only that the *Scythians* did swear, but also how they behaved themselves in Swearing, 'tis a Matter of Admiration, how *Quintus Curtius* durst say, that Oaths were not known among that People. He relates, *That some Ambassadors from those People, being come to see Alexander, and that this Prince having demanded that they should give him the Gods as Guaranties of their Word ; they answered him proudly, That the Scythians did not know what it was to swear : And this they explained in these magnificent Words, Fidem colendo jurant ; i. e. Amongst them an inviolable Fidelity is instead of an Oath.* The Honour of the Historian cannot be saved but by telling us, that he here speaks of some particular *Province* in *Scythia* ; otherwise he would induce us to think, that here, as well as in several other Places, he minded more what is *wonderful* than what is *true*, and that he rather sought how to *astonish* his Readers, than to *instruct* them.

Whatever it be of the *Scythians*, it is certain that the *Greeks* used pretty often, in order to confirm their Oaths, to *throw into the Sea a red hot Lump of Iron*, and that they obliged them-

themselves to stand to their Word, until that Lump did, of its own Accord, come up again on the Water; this the Phocians practised, when being afflicted by continual Acts of Hostility, they forsook their Town, and oblig'd themselves never to return into it.

The Romans had also their particular Oath, which they look'd upon as the most antient and most solemn of all those they were used to take. They swore *Per Jovem Lapidem; By Jupiter's Stone*. 'Tis not easily known what could have occasioned so extraordinary an Expression. Some explain it merely of the Stone Statue, which from the Beginning of Rome, had been erected to that God in the Capitol. Others pretend that Jupiter was described by the Stone, and even that he was called by the Name of it, because his Mother Rhea, having brought him forth, offer'd instead of him a Stone to his Father Saturn, who in order not to bring up any male Issue, had promised to devour them. *In Creta regnavit Lapis*, says Eusebius. In a Word, most Authors do think, that the Occasion of so extraordinary an Expression, was, that those who solemnly swore by Jupiter, held commonly a Stone in their Hand. They sometimes, as Festus says, flung it away with all their Might, and said, *If I fail to my Word, let Jupiter sling me out of Rome, as I sling this Stone far from me*. Sometimes also, according to Livy, they therewith struck a Victim in the Middle of the Forehead, and the Form of Words

Words made Uſe of then, was, *If I violate my Faith, let Jupiter ſtrike me, as I am going to ſtrike this Victim; and let him ſtrike me the harder, by ſo much as his Power is greater than that of Men.* The ſame Author tells us alſo, that the ſame Cuſtom was obſerved at Carthage: for he relates, That Hannibal, in order to animate his Soldiers to fight bravely, promiſed them great Rewards, and that, in order to give the greater Sanction to his Promiſes, he took a Lamb in his left Hand, and a Stone in his Right, and that having pronounced againſt himſelf the uſual Imprecation, in caſe he ſhould forſwear himſelf, he ſtruck the Victim with that Stone, and broke its Head with the Blow.

But Men did not confine themſelves to the above-mentioned Ceremonies, moſt of which were, at the beſt, but *odd and ridiculous*: they invented ſome that were *cruel and barbarous*. There was a Country in *Sicily*, where People were obliged to write their Oath on the Rind of ſome Tree, and to throw it into the Water: If the Rind ſwam on the Water, it was deemed to be true: but if it ſank, it was look'd upon as falſe; and the ſuppoſed Perjurer was burnt. *Sophocles's* Scholiaſt aſſures us, that in ſeveral Parts of Greece, they obliged thoſe who ſwore, to hold ſome Fire in their Hand, or to walk bare-foot on red hot Iron; and ſome Remains of theſe Superſtitious continued a long while among

among *Christians* ; But were at last utterly abolish'd, when a more refined Reason had taught them, that to use such Ways was to tempt God, and when Experience had convinced them, that those faulty Trials did often confound Innocent with guilty People.

C A P. IV. *The Morals of the Ancients*
concerning OATHS.

The Belief of the Ancients concerning Oaths, having been so corrupted as to *Theory* ; 'tis a Matter of Surprize, to see how pure their *Practice* was on this Point.

Among the several Duties of Men, they justly gave the first Rank to *Piety towards the Gods*, and considered it as the Source of all Vertue ; but they gave the second Rank to the *Religion of Oaths*. *Pythagoras* in that Poem which is called his, but thought to be written by his Disciple *Lysis*, begins his Instructions with this Maxim, *Honour the Gods* ; and immediately subjoins, *And respect Oaths* : Καὶ σεβου θεων. Many have thought that the Books of *Moses* were not unknown to that famous Philosopher. But among their Proofs for it, 'tis surprizing that they omit that which may be drawn from these two great Truths which he lays as the Foundation of all his Doctrine. For 'tis certain
that

that *Moses* follows the same Order ; and that in the Beginning of those *Ten Commandments*, wherein he has included all that concerns Morality, he, above all Things, recommends to *honour the supreme Being*, and *not to take his Name in vain* ; from whence it seems that one should infer, that *Pythagoras* borrow'd from *Moses* those fundamental Maxims : otherwise one must say, what is not lawful to think, that the one, by his wise Reflections, did, in some Measure, arrive to that Sublimity of Knowledge, whereto Revelation had exalted the other.

However, *Hierocles*, of whom we have a Commentary on those Verses of *Pythagoras*, pretends, *that if these two Words, Respect Oaths, be searched into, we shall find, that they comprehend all ; and that they afford us the best Laws we can follow, either in Swearing, or when we have sworn.*

The First of those Rules, says he, *is, That we are to swear but seldom ; for it is very hard to preserve a long while the fit Regard for Things wherewith we make ourselves too familiar.* The Ancients really thought, *that to swear often was a great Inducement for a Man to forswear himself.* And their great Principle on this Head, was, *That the surest Way not to make an ill Use of Oaths, is not to use them at all.* A Principle which induces us to think, that they had had a Glympse of
that

that great Truth, which has been since plainly taught us : viz. *That if we design to be perfect, we should never swear ; and that in every Thing we should content ourselves to assure, that such and such Things are, or that they are not.* They were then fully persuaded, *That we are not allowed to call the Deity to witness, but when an absolute Necessity compels us to it ; and when an Oath is the only Way by which we may come to the Knowledge of the Truth.*

The second Instruction which they discover'd in those Words of Pythagoras, and which has a near Relation to the first ; is, *That we must not swear but on great and important Affairs :* for, according to them, *those did not reverence, but prophane Oaths, who used them on mean and frivolous Occasions, which render'd them unworthy to be sealed by the most venerable of Testimonies.*

The third Inference they draw from this general Maxim, is, *That we must never positively affirm, but what we know to be undoubtedly true.* They required in the Man who swore, a full and intire Certainty : Inasmuch that they almost thought it an equal Crime, to swear in Doubt, as to forswear one's-self. If ever, says Juvenal, *You be cited to witness a Matter ambiguous and uncertain ; Though Phalaris himself should bid you to betray your Conscience ;*
Though,

Though, threatening you with the brazen Bull and Fire, he should himself dictate a Perjury: Think it the greatest Crime in the World to prefer Life to Honour, and to lose, in order to keep it, the only Thing that may render you worthy of Life. The Latin Verses are so fine, that though they are known by every Body, yet I can't forbear inserting them here.

— *Ambigua si quando citabere testis
Incertæque Rei, Phalaris licet imperet ut sis
Falsus, & admoto dictet perjurio tauro
Summum crede nefas animam præferre pudori,
Et propter vitam vivendi perdere causas.*

Their Fourth Inference was, That we cannot bind ourselves by Oath to do Things that are not good and praise-worthy; and if the Obligation was bad in itself, they thought that it was consequently of no Force, or not Binding; and that a Man, far from being bound to stand to his Word, was obliged to break it. In such case, says *Seneca*, *Scelus est fides*; and by performing our Promise, we do but crown a first Crime by a second. On this Principle; *Cicero Lib. 3. de Offic.* assures us, that *Agamemnon* was doubly guilty, both because he had bound himself by an Oath to sacrifice his Daughter *Iphigenia*, and because he had sacrificed her, by Reason of that Promise.

Lastly;

Lastly, They inferred from thence, that when a Man swears, he cannot have too much Uprightness and Sincerity. They condemned all those Shifts and Evasions which Craft and Malice have invented to escape the most sacred Covenants, and which *Cicero* calls, *The Subterfuges of Perjury* ; *Perjurio latebras*. They thought that those false Subterfuges were directly contrary to Oaths, and that they did intirely ruin the Nature of them ; for Oaths have been instituted only to make the Intentions of Men more plain and certain ; and those Refinings do but render them more obscure and ambiguous. So that, according to their Principles, open Fraud was less to be feared than those hidden Deceits ; because we beware of the one, and do not at all mistrust the others : And we do even respect them, because they have the Appearance of Probity. But, as *Cicero* says, *Lib. 1. de Offic.* *There is not, in civil Society, a more dreadful Sort of Injustice, than that of those Men, who, when they cheat the most, take the greatest Care to appear under the Dress of honest People.* *Totius autem injustitiæ nulla capitalior est quam eorum, qui cum maxime fallunt, id agunt ut viri boni esse videantur.*

But if, according to the Antients, the Respect which is due to Oaths did engage them to be so careful when they took them ; it engaged them no less to Fidelity when they had taken them. They had thereupon Two great Rules : The one, That for any Consideration
whatever,

whatever, a Man could not dispense with keeping close to his Oath ; the other, That it must be kept in all its Extent.

No Reason could unbind the Man, who had once contracted so sacred an Obligation ; neither the Fallacy made Use of, in order to deceive him into an Oath ; nor the Violence done to him ; nor the Infidelity of the Man with whom he had entred into Covenant ; nor the Losses that might befall him from the Performance of his Word, how great soever those Losses might appear. Let us now examine their Opinions concerning each of those Heads : And if we find that some of them be too much on the Extreams, let us excuse the too great Severity of the Maxims, by the Inclination, which is yet greater, that Men have to be but too remiss in their Practice.

It was to no Purpose for a Man to alledge, that he had been imposed upon. Whatever he could prove thereby, was, that he had been too imprudent. But they thought that for that very Reason, a Man deserved to be punished for his Imprudence, by performing faithfully, what he had rashly promised. They owned, That it followed from thence, that a Man could not be too cautious before he swore ; but they maintained, that the Oath being once taken, there was no Exception to be made against it, and that it remained only to fulfil religiously one's Word. We have a very fine Example of it in *Alexander* : Having been insulted by the

People

People of *Lampsacus*, he marched, in order to destroy that City. One of the Inhabitants called *Anaximenes*, who had had formerly some Share in the Education of that young Prince, was desired by his Fellow-Citizens to go and meet the King, and to intercede for their common Country. But as soon as *Alexander* saw him afar off, *I swear*, cryed he, *that I won't grant you what you come to demand of me. Well*, says *Anaximenes*, *I beg of you to destroy Lampsacus*. This single Word was like a Dike, which diverted all of a sudden that Torrent that was ready to overthrow every Thing. The young Prince thought that this Oath, which he had let slip out of his Mouth, and wherein he had designed to comprehend a positive Exception of what should be desired of him, did nevertheless bind him. And his Thoughts thereupon were not a mere Notion of a private Man; it was an Opinion generally received; as we may infer it from the Danger *Euripides* fell into, because he had not had a sufficient Regard for it in one of his Verses. *Phædra's* Nurse goes to *Hippolytus*, and having tyed his Tongue with an Oath, she acquaints him with the Love that unfortunate Princess had for him. *Hippolytus*, struck with Horror, *No, no, I won't hold my Tongue upon it*, cries out in his first Agitation, *I did not think to bind myself to it by that terrible Oath; My Tongue did indeed swear, but my Heart did not*.

Ma langue a fait serment, mon cœur n'en a point fait.

Ἡ γλῶσσαι δλώμοχ', ἡ δὲ φρεν' ἀνωμοτ' ἔσται.

The Poet had no sooner brought in that Maxim into his Tragedy, than he endeavours, by all manner of Lenitives, to soften the Odium it might incur; for the young Prince immediately applies himself to the only reasonable Way: He condemns his first Transport; he takes the Resolution, whatever it may cost him for it, to keep the Secret he had too unadvisedly bound himself to; and he so well keeps that Resolution, that at last he chooses rather to perish, suspected of the most horrid Crime, than to clear his Innocency at the Expence of the Oath he had sworn; sacrificing thereby to the Fidelity of an Oath, both his Life, and his Reputation, which was dearer to him than Life. But notwithstanding all these Precautions taken by *Euripides*; notwithstanding the great Skill he used in speaking of so nice an Affair; the Actor had no sooner uttered this Verse, than all the *Athenians* exclaimed against it, and highly shew'd their Indignation. They talked to have the Poet Arrested, and to pursue him according to the Law, as being guilty of Impiety. They could not pardon him, because he had, even in a Tragedy, and with all imaginable Restrictions,

ventured upon a Proposition, which, according to *Cicero, lib. 3. de Off.* was yet capable of a good Explanation; so great was then their Rigidity concerning what might possibly cast a Blemish upon the Religion of Oaths.

The Violence done to a Man was not a more lawful Excuse: And they did not even conceive, that such a Reason could be alledged to excuse an Oath that had been taken for the Performance of a Thing: *For what Violence can be made to a courageous Man?* answers, on this Subject, he, who of all Heathen Authors, did, perhaps, best treat of the Question concerning Oaths. When a Man owns that he has yielded to Violence, does he not thereby own that he has acted like a Coward? And when does it ever happen, that a Confession of Cowardice can acquire to the Man who makes it, the Privilege of forswearing himself? Therefore *Marcus Pomponius*, who was in this Situation, did not hesitate a Moment to pronounce Sentence against himself. He was Tribune of the People, and, according to the Obligation of his Employment, he had accused *Titus Manlius*, because he had not laid down his Dictatorship at the Time prescribed by the Laws. His Son, who was a lively and bold young Man, and very well known to be so afterwards, under the Name of *Manlius Torquatus*, having heard in the Country where he was, the Danger his Father was in at *Rome*, ran thither immediately, finds the Way to get into the
the

the House of his Father's Accuser, surprizes him by himself, and setting a Poniard to his Throat, forces him to swear, that he would leave off prosecuting his Father by Law. There never was an Oath extorted with more evident Violence. Yet *Pomponius* told the People what had happened to him; and declared to them, That he no longer thought himself bound to go on in the Accusation he had begun against *T. Manlius*; and this was the Opinion of every one on this Matter.

It was to no better purpose for a Man to say, that another had not stood by his Word to him. Reprisals were forbidden to him, and another Man's Perjury did not authorize him to forswear himself. Yet some *Romans* found no Fault with this Word of *Atreus*, who, in a Comedy made by *Accius*, says, to clear himself from Perjury; *I never did, nor ever will give my Word to a Man who does not himself stand by his Word: Fidem neque dedi, neque do infideli cuquam.* But *Cicero*, whom I often quote, and who cannot be too often quoted on this Matter, condemns this Maxim, as pernicious; and asserts, that it cannot be otherwise excused in this Place, than because the Poet does not utter it in his own Name; but puts it in the Mouth of an impious King, who, speaking according to his Character, introduces that Maxim as a Part of the Viciousness inseparable from the Man. *Cum tractaretur Atreus, persona serviendum fuit.* For they placed their

Glory, not in being faithful to those that are so; but to be faithful even to those who are not so. Therefore we read, that *Silius Italicus*, after very great Encomiums of that egregious Exactness, wherewith *Regulus* had fulfilled the whole Obligation of his Oath, thinks that he cannot give a finer Encomium of the glorious Action of that great Man, than by saying; *Thou shalt be praised in all Ages, for having been faithful to the Carthaginians, the most unfaithful of all Nations.*

*Tu longum semper fama glifcente per ævum,
Infidis servasse fidem memorabere Pænis.*

The last Excuse, wherewith a Man might have palliated his Perjury, was the Loss that should accrue to him who should stand to his Word; but how great soever that Damage might be, they did not think it could in any Case authorize a Man to break off the Promise he had sworn to perform. The Example of *Regulus* seemed to them, to be peremptory in this Matter. There never was a Man, who, by fulfilling his Oath, could expect more dreadful Consequences. He knew, says *Horace*,* the cruel Torments the Hangman had prepared for him. *Atque sciebat, quæ sibi barbarus tortor pararet.* Yet he goes away from his Friends, and from

* Lib. 3. Od. 5.

the People, which opposed his Return; he goes away, I say, from them, with the same Tranquillity and Evenness of Mind, as he would have stollen himself from his Fellow Citizens to go, during some Days, to rest in the Country, after having determined some Dispute of a long standing. *Non aliter tamen dimovit obstantes amicos, &c.* And what is surprizing is, that People were not at first struck with the Magnanimity of that great Man; because they reckoned that he had done but what he was bound to do: His Action acquired its greatest Praise from the Corruption of the succeeding Ages. *What afterwards appeared so Great and Illustrious, says Cicero, was but common and ordinary in Regulus's Time.* The Vertue of those Men, with whom he conversed, did not allow him to act otherwise; and how wonderful soever his Behaviour may seem to be now, the Hero is less to be praised for it; than the Age he lived in. *Nobis nunc mirabile videtur, illis quidem temporibus aliter facere non potuit. Itaque ista laus non est hominis, sed temporum.* It was then a very common Opinion among the *Romans*, that a Man, rather than to break his Oath, was to be ready to dare the most dreadful Things there could be in Exile, Prison, and even in Death itself. The Reason of it was, that of all the Misfortunes that may befall a Man, the greatest is to violate his Oath: Moreover they pretended that a Man who had a great Soul, looked on these Evils, as
H 4 being

being not really such ; and even consider'd them as so many Benefits, when they were incurred for a righteous Cause.

But how backward soever they were to dispense with Oaths, they were no less strict concerning the Manner of performing them. They required from a Man, religiously to fulfil whatever Promises he had made ; insomuch, that the Expectation of the Man to whom the Promise had been made, was to be intirely fulfilled : For the Rule of what was to be done by him who had sworn, was not the Intent he might have had ; otherwise Oaths might have been but meer Delusions or Impositions, because he might put whatever Construction he pleased on his swearing ; but it was the Intent of the Man to whom he had taken his Oath, and which arising naturally from the Words themselves, could not be unknown to him who had bound himself by Oath. A *Roman General*, says *Cicero, lib. 1. de Off.* had agreed with the Enemies for a Cessation of Arms during Fifteen Days, and did, notwithstanding, plunder their Territories every Night, under Pretence, that by the Words of the Truce, mention was made of the Day only, and not of the Night. The Senate and the People condemn'd his Conduct, and term'd it a fraudulent and deceitful Action ; because he could not be ignorant that the Enemies intended to include both the Day and the Night in the Treaty.

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The *Carthaginians*, in another Circumstance, had taken Prisoners ten *Romans*, who were allowed to go to *Rome*, when they had bound themselves with an Oath, that they should return to their Camp. One of them was no sooner gone out, than he returned thither, pretending to have forgotten somewhat there, and going away immediately, he went on his Journey. He thought he had performed his Promise by that first Return. And indeed, says *Cicero*, he was free from his Obligations according to the Letter, but he was not so in Reality. *Erat verbis, re non erat.* Now as to Oaths, adds that great Man, the Intent and Purpose is to be our Rule, and not the literal Signification of Words. *Semper autem in fide, quid senseris, non quid dixeris, cogitandum.* An admirable Principle, which solves all Difficulties: For it follows from thence, that though a Man performs whatever the Letter of the Oath signifieth, yet he forswears himself, if he falls short of the Expectation of the Man to whom he swore: Whereas, on the contrary, a Man does not commit a Perjury, when he answers those Expectations, though it seems that he does not perform all the Significance of the Letter. In a Word, the constant Doctrine of that excellent Heathen Casuist, is, That Fraud does never free a Man from his Oath, but binds him more. *Fraus astringit, non dissolvit perjurium.*

Such

Such was the Nicety of the Ancients, as to the Binding of Oaths. But it must be confessed, they were not all so scrupulous ; for some of them did even teach a quite contrary Doctrine, and consider'd them but as so many Trifles. Few People are ignorant of that famous and detestable Maxim, which had so great a Vogue among the Ancients : *That Children were to be imposed upon by Toys, and Men by Oaths.* 'Tis not known who was the first Publisher of it, whether it was *Philip*, *Alexander's* Father, as *Ælianus* says, or *Lysander* of *Sparta*, as *Plutarch* relates it, or *Dionysius* the Tyrant, as the same *Plutarch* says in another Place ; but 'tis no great Matter to know it, and it were perhaps to be wished, that such an abominable Maxim had had the same Fate with the Name of its first Author : However, a *Roman* Emperor had not a much greater Aversion for Oaths, when being desired to punish one who had forsworn himself, he answered, That it was the Part of the Gods to revenge the Injuries done to the Gods ; *Deorum Injurie, Diis curæ.* *Laberius* was used to say, that the Oath was the shortest Way to get rid of one's Creditors, and did, in his comical Speech, give this Definition of it, *Emplastrum æris alieni*, A specifick Remedy to cure Debts. *Plautus* in one of his Comedies, introduces a Man, who was always equally ready to take Oaths, and to break them. *Did you not swear unto me*, says his Creditor, *that you would pay me*

me that Sum? Yes, he replies coldly, and I will again swear it to you, if the Fancy take me. You shall then pay me, answers the First. Oh! no, not so, replies the last; Oaths have been found out to preserve one's Estate, and not to lose it.

Jusjurandum rei servandæ, non perdendæ, conditum est.

There were but too many People, who seriously utter'd such Maxims, or who endeavour'd to have them received under some profane Jest. But it would be unjust and unreasonable to charge all the Ancients with the ridiculous and profane Thoughts and Opinions of some private Men amongst them. There have been in all Ages bold Men, who gainsay the most sacred Truths. But we must judge of the Opinions of each Age, not by the Thoughts of some few Libertines; but by those that have been approved of by most honest Men. Now if we apply to the present Matter, this Rule which is so agreeable to the Principles of Equity; it must be own'd, that as to what concerns Oaths, the Ancients have been able, by the sole Help of right Reason, to come very near the Sublimity of the Christian Morals, and perhaps they have sometimes attained to it.

C A P. V. *The Use made of Oaths, by the Ancients, in Civil Society.*

As they had such sublime Notions of Oaths, they endeavoured to make an useful Application thereof in Civil Society. They consider'd them as one of the chief Foundations of publick and private Safety. In all important Affairs, they made Use of them both within and without their State. Without, in Order to strengthen the Alliances, Truce, and Treaties made with Foreigners: Within, to bind all the Citizens unanimously to procure the Good of the common Cause.

In every Government we may distinguish three Sorts of Dignities; those of *Priesthood*, of *Magistracy*, and of *Military Discipline*. Oaths were the first Step a Man was to make, in order to enter into them; and hardly any of them could be entered upon, without Swearing first of all to perform the Duties required.

And there was even at *Athens* a very singular Custom, *viz.* That every Man that was born in that great City, was bound to swear, not only when he enter'd into Employments, but even when he had, for the first Time, his Name enrolled in the Catalogue of Citizens. Their Design was thereby that the first Obligation young Men entered into, should be with the Common-Wealth. Until then they were

were but the Sons of *Athenians*, without being properly *Athenians* themselves. It was by that publick and solemn Act only, that they became Members of the State. Every Circumstance of that Feast was great and magnificent. The young Candidates were not admitted to take that Oath, but when they were in their 20th Year of their Age: They were obliged to tarry till that Time, that their Reason, which begun to be then in its Force, might perceive the whole Extent of the Obligations they were going to lay upon themselves; and which Nature had laid upon them before-hand. The Ceremony was performed in *Agraulus's* Temple, and that for some particular Reasons peculiar to that Place. *Agraulus* was one of the Daughters of *Cecrops*, and for her Affection to her Country, deserved that divine Honours should be rendered to her. Under the Reign of the King her Father, a cruel War ravaged *Attica*. The Oracle was consulted about the urgent Necessities of the State. The God answered, That publick Calamities should cease, if some Member of the State would sacrifice himself for the Safety of the rest. The young Princess having heard that Answer, secretly fled away from her Governess, and threw herself headlong from the Top of a Tower. The *Athenians*, moved with Sentiments of Gratitude, erected a Temple to her: And it was before her Altars, that the young *Athenians* consecrated themselves to their Country; that the

the Remembrance of what she had done, might give them to understand what they were always to be ready to perform. The Form of the Oath answered the rest of the Ceremony. *Stobæus* and *Pollux* have transmitted it to us in these Words: *I will not dishonour the Profession of Arms, and will never save my Life by a shameful Flight. I will fight to the last Gasps for the Sake of Religion and the State, together with the other Citizens, if it be meet. I will not set my Country in a worse Condition than that wherein I found it; but I will do my utmost to render it even more flourishing. I will submit myself to the Magistrates and Laws, and to whatever shall be ordered by the common Consent of the People. If any Body break, or endeavour to abolish the Laws, I will not conceal such an Attempt; but I will oppose it, either by myself, or jointly with my Fellow-Citizens. I will remain firmly addicted to the Religion of my Ancestors. To witness all this I call upon Agraulus, Enyalius, Mars, and Jupiter.*

Ἰσopes θεοί, Ἀγραυλῶ, Ἐνυάλῳ, Ἀρμς, Ζεὺς.

'Tis a Matter of Surprize, that other Nations did not borrow from the *Athenians*, a Custom which could so well kindle the Love of the Country in the Heart of all young Citizens. But if among other Nations, it was not necessary to take one's Oath, in order to be incorporate &

porated into the State ; yet it was absolutely requisite to do it, in order to get some Employment in it. Among those several Places, to which Merit and Vertue can raise a Man, those which concern the Ministry of Altars, have always had the first Rank. None could be initiated into them, without a Sort of Consecration, which comprehended a Vow and an Oath ; The *High-Priest* swore to maintain Religion in all its Rites : the *Priests*, to live with all the Sanctity of Manners required from the Sacredness of their Character. Besides those general Oaths, they took some particular ones, according to the several Functions laid on them. And so *Vestals* obliged themselves never to let the sacred Fire go out ; the *Feciales*, who were entrusted with the Care of treating with the Enemies, bound themselves to follow the Rule of Justice in every Respect, whether they were favourable to the *Romans*, or contrary to their Interest. The *Augurs*, who were like so many Depositories of the principal Things which concern'd Religion, affirmed that they would discover none of the Things that related to its Mysteries. A Caution which was not unnecessary ; for most of the Things they were intrusted with, were often so ridiculous, that *Cato*, who had been in that Post, said, *That he could not think how two Augurs should meet without laughing.* But it is to be observed, that the *Priests*, by this first Oath, acquired the Privilege to take
no

no more afterwards. If it sometimes happen'd that their Testimony was requisite, they were to be believed on their Word, and they were not to be obliged to swear: *Plutarch* relates several Reasons for this Privilege; and among others, these two chief ones: The first, That Swearing being a Sort of Torture laid on free People, *tormentum liberorum*, Decency required, that Men consecrated to the Gods, should have their Soul, as well as their Body, free from whatever might look like Violence and Constraint. The Second is, That it was not convenient that Men should be mistrusted about Things of small Moment, who had been trusted with whatever is most sacred and august.

No less Caution was used as to *Judges*. All those who in *Greece* entered into any Magistracy, obliged themselves, after a solemn Manner, to determine according to the Laws. *κατὰ νόμους ἰκρίσθαι*. The Assembly of the 500, the *Thesmothetæ*, the *Archonts*, swore like the rest: The *Areopagus* itself was not dispensed with in this Respect. *Κοινὸν ἔχον ἔμμεν ἢ βουλῇ*, says *Plutarch* in the Life of *Solon*. At *Rome* every Magistrate was equally exposed to the same Necessity. But they were not satisfied to have them sworn once for all, as it's practised among us. They were obliged to renew their Oath, in every Cause they were to judge. Indeed we don't find in the Works of the Antients, any positive Authority to induce

induce us to believe, that their Senators observed the same Custom : But if they took so many Cautions with those who had only the Cognizance of private Affairs ; is it not very likely that they were yet more cautious concerning those, who had the Care of the publick Concerns ? Besides, methinks we may from the Heads conclude for the Members. Now 'tis certain that the Consuls took an Oath, and even twice : First, When they entered into their Employment ; and, Secondly, When they resigned it. By the first Oath, they bound themselves to do nothing but for the publick Good. In *Trajan's* Panegyrick, there is a very curious Description of that Ceremony. By the Second, they averred, that during the whole Course of their Administration, they had aimed only at the Interest of the common Cause. We have an Example of it in the Person of *Cicero*, which deserves a particular Attention. He tells us himself, that going out of his Consulship, he did swear as his Predecessors were always used to do : But that he used these Words, which were never used before, nor could be used by any Body : *I swear, that I alone, did, by my Care, save both Rome and the Republick. Rempublicam atque hanc urbem meâ unius ope esse salvam.*

The *military Oath* was required with the same Order. It has always been looked upon as the most faithful Guardian of Discipline, and surest Guarantee of good Success : But I don't

I

know

know whether any Nation ever carry'd it to a higher Pitch of Perfection than the *Romans*. Wherefore the Emperor *Maximin* was used to call it, The great Mystery of *Roman* Politics. Σεμνὸν τῆς Ρωμαϊκῆς ἀρχῆς μυστήριον. That Oath was treble, and comprehended the three chief Qualifications required in military Men, viz. *Obedience*, *Valour*, and *Justice*. *Obedience*, as to the General ; *Valour* against the Enemy ; and *Justice* towards every Body. Now all those, who bore Arms, oblig'd themselves by three Oaths, to a severe and inviolable Practice of those three Vertues. They took the first Oath when they were list'd ; and its Form contained, That they would exactly be present to receive the Order of the Consul, and would not absent themselves, but by his Leave. They received the Second, when they took their Place in the Body wherein they were to serve ; and then they promised never to quit their Rank, except to go to Battle, and not to return 'till they had overcome the Enemy. Lastly, They took the third Oath, when they encamped ; and then they swore not to wrong any Body, neither in the Camp, nor a thousand Paces round about it. They were sometimes so scrupulous on this Point, that, according to *Marcus Scaurus*, a *Roman* Army having one Evening encamped near a Tree loaded with Fruit, it was observed the next Day, when they began their

their March, that none of them had been meddled with, nor stolen away.

And these Oaths were properly what compleated the Soldier, and conferred on him the Right of using his Weapons. And when he had taken them but for a Time, and when that Time was over, and a new Occasion offered, he was bound to take Oaths afresh, or he was not allowed to fight. Therefore *Cato's* Son having been discharged, and yet remaining in the Army, because he was fond of War; his Father wrote to the General, that if he would keep him, he should bind him by a new Oath, because the first subsisting no more, he could not lawfully draw his Sword. By this great Severity the *Romans* intended to signify, that no Man had any Right upon the Life of another, unless he received that Right from public Authority. A Principle so universally received by all the Antients, that in a Day of Battle, *Chryſas*, *Cyrus's* Soldier, having thrown down his Enemy, and having already his Arm lifted up to give him the deadly Blow, stopp'd all of a sudden, because he heard the Retreat sounded. He thought that this Signal taking away from him the Right of Fighting, it did much more deprive him of the Right of Killing him.

C A P. VI. *The Horror the Antients had for those, who violated their Oaths.*

From these Maxims of the Antients, and especially from their Conduct in Pursuance of them, we may easily perceive how great an Horror they had for the Infringers of Oaths: They were looked upon as detestable Men, one of them being sufficient to bring Destruction on a whole Nation. They even thought that their Impiety might be fatal, not only to those of their own Age, but to the remotest Posterity. Wherefore, they were very severely punished, and the Punishments inflicted on them were no less than Infamy and Death. Yet it seems as if there had been a Sort of Exemption and Privilege in Favour of certain Persons. Such were *Orators, Poets, and Lovers.*

Orators seemed to have a very great Liberty on this Head. Nothing was more common than to hear two of them swear each on his Side in his Cause, the one to affirm a Thing, and the other to deny it; from whence it necessarily follow'd, that one of the two must forswear himself: But Custom seem'd to authorize such an Abuse. *Demosthenes*, one of the greatest Orators that ever was, was also one of the greatest Swearers that ever was. He does at every Page call the Gods to witness: Sometimes 'tis *Jupiter*; sometimes 'tis *Apollo*; sometimes *Minerva*, the tutelary Goddess of *Athens*; and

and oftner all the Gods at once. *Æschines*, the most vehement of his Rivals, is continually reproaching him with that. * *That Man*, says he, *thinks, that by much Swearing he shall render true what is false.* — He never calls, says he in another Place, *the Gods to witness with a greater Confidence and Boldness, than when he knows that what he is going to say, is palpably false.* — If we are to believe that *visionary Man*, says he again in another Place, *he has Colloquies all the Night with that Minerva, by whom he is eternally forswearing himself in the Day Time.* — If he thinks, says he elsewhere, *to impose upon us by his Oaths; One of the two Things must be, That either he imagines new Gods, by whom he has not hitherto forsworn himself; or, That he looks out for new Hearers, who are not used to his Perjuries.* But 'tis surprising, that *Æschines*, who very seriously censures it as a great Crime in *Demosthenes*, is himself perpetually falling into the same Fault, as may be seen by his Writings. *Quintilian* very judiciously observes, that there's no great Skill in Swearing thus: And that out of all the Beauties that are to be found in the Works of those great Men, these are to be sure those that may be most easily imitated. And 'tis likely, for this very Reason, that their Succes-

* In Orat. cont. Ctesiph.

sors seem to have endeavoured to imitate them in this Practice, rather than in all the others ; Because Experience shewed them, that in a Discourse 'tis more easy to utter great and terrible Oaths, than to give good Reasons.

No greater Regard was had for the Oaths which the *Poets* interspersed through their Works. They were persuaded that they made Use of them but to fill up the Measure of their Verses, or to vary their Stile. Most of them were very free with them, and especially Theatrical Poets. The Tragedies of *Æschiles*, *Sophocles* and *Euripides* are full of them ; and there's almost nothing else in Comedies ; for if you but open those of *Plautus*, you will think, that one of their greatest Pleasures was to heap Oaths on Oaths, every one of them still more odd and ridiculous than the former. 'Tis true that those who afterwards applied their Mind to the same Kind of Poetry, were a little more cautious : But they nevertheless called upon the Gods to be Witnesses of several Things wherein their Interposition was not very necessary. And to tell it by the Bye, 'tis perhaps according to their Example, that our old Poets were so fond of Swearing : For they do too often, and without much Necessity, place in their Works the holy Name of God and of his Saints. And though these Names seem to be placed there only for Rhime Sake ; yet it must be owned, that there is in them something very plain, and that

that they have a good Effect in their old Stile.
John of Meun, who continued the famous
 Romance of *la Rose*, in one Place swears by
St. Julian :

————— *Par St. Julian,*
Marriage est mauvais lien.

By *St. Julian*, *Marriage is a bad Tie.* And
 in another Place he swears by *St. Denis*.

Femmes prudes, par St. Denis,
Autant en est, que de Phenix.

There are, by *St. Denis*, as many chaste Women
 as there are Phoenix's.

Octavian of *St. Gelais* swears by his own
 Soul, and that for the most frivolous Thing in
 the World.

Bonnes gens, j'ai perdu ma Dame ;
Qu'il la trouvera, par mon ame,
Combien quelle soit belle & bonne,
De tres grand cœur je la lui donne.

Good People, I have lost my Mistress. Whoso-
 ever shall find her, by my Soul, though she be
 handsome and good, I do very willingly give her
 to him.

Reverence makes me omit the too frequent
 Places, where God's Name is not spared.

But of all Oaths, none seemed to be more indulged than those of *Lovers*. They were rather looked upon as Sport, than as serious Obligations. *Plato* gives us a Reason of it, which will perhaps appear to be little suiting the Gravity of such a Philosopher. *Tis*, says he, *because Love is a Child, and that nothing well contrived must be expected from that Age*. However, all those reciprocal Protestations, which are the ordinary Product of an obstinate Passion, were looked upon as a different Language, which is no Precedent. And even these two Words, *Lover's Oaths*, grew into a Proverb, and signified, in common Language, *false Oaths*. The Fair Sex did not a little contribute to that Discredit. Yet some Means were used at first, in order to have this Opinion received, which would have had a great Force to keep them within the Bounds of their Duty, if it could have been once very well settled. They pretended to make them believe, that if they happened to break their Oaths, they should be punished for it in what is most dear and precious to them, *i. e.* in their *Beauty*: That at each Perjury they should lose some one of their Charms: That even their least Falsities should be as so many little Spots, which would eclipse the Brightness of their Complexion; In a Word, that their Shape, Hairs, Teeth, and even their Nails, should suffer for it. *Theocritus*, in his Ninth *Idyll*. instead of saying, *Do not forswear yourselves*
any

any more, useth these Words, *Do no more bring small Pimples on the End of your Tongue.*

——— *You are so handsome, says he in the Twelfth, that in praising your Beauty, I need not be afraid to have Marks of Falshood stigmatized on my Face.* But it was in vain for Men to preach such a Piece of Morality; Women would not be imposed upon by that. Experience removed from them those vain Fears which they endeavour'd to fill them with. They were fully convinced in their Heart, that though they did often deceive, yet they were never the uglier for it. Wherefore this Opinion was rejected, in order to stick to a Second. The Gods were supposed to go Hand in Hand with Women: That *Jupiter* delighted in their Perjuries: That *Venus* herself, the Nymphs, and the cruel God of Love, did but laugh at them.

*Ridet hoc, inquam, Venus ipsa rident
Simplices Nymphæ, ferus & Cupido.*

HOR. Lib. II. Od. 8.

They went farther; they were told that they acquired something by forswearing themselves. *'Tis advantageous for you to violate your Oaths* says *Horace* to *Barina*:

Expedit tibi cineres opertos fallere.

If

If I but saw, says he, that you were punished once for it, that you had one of your Teeth less white, or a Nail less shining, I could perhaps believe you. But you have scarce forsworn yourself, than you become more charming, and than the Hearts of our young Romans are intirely taken up with you.

————— *Sed tu, simul obligasti
Perfidum votis caput, enitefcis
Pulcrrior multo, juvenumque prodis
————— Publica Cura.*

These Principles found less Difficulty to be received by Women ; and most of them by their Conduct made People believe that they adher'd to this last Opinion.

Thus, Gentlemen, have I given an Abridgment of the History of Oaths, as they were used by the Antients. Here, as in most other human Institutions, we may see a surprizing Mixture of Wisdom and Folly ; of Truth and Falshood: whatever is most venerable and august in Religion, confounded with what is most ridiculous and contemptible in Superstition. A faithful Picture of Man, who describes himself in all his Works, and who is himself altogether, and in the main, a monstrous Compound of Light and Darkness, of Greatness and Misery.

END of DISSERT. II.

123
A
DISSERTATION

Concerning the

MONUMENTS

Which supply'd the

Defect of Writing

Among the

FIRST HISTORIANS.

By Abbot ANSELM.



LONDON:

Printed in the YEAR M.DCC.XXVI.

DISSERTATION

Concerning the

MONUMENTS



Defect

Among the

First Historians.

By Adam Anderson.



LONDON:

Printed in the Year MDCCLXXIV.



A
DISSERTATION
Concerning the
MONUMENTS
Which supply'd the
Defect of Writing
Among the
FIRST HISTORIANS.

MARCH 26. 1715.



BEFORE I speak of the Monuments, which served to write the History of the First Antiquity, it would be of Importance to know at what Time the Use of Writing was found out; but I am very far from deciding such a Piece of Antiquity. Out of several Opinions, it will be enough for me to mention those, which have been the most regarded by learned Men, and this to obtain your
Senti-

Sentiments, Gentlemen, whereon I should be proud to frame mine.

Nothing certainly was more useful, nor more pleasant to human Life, than to be able to call to Mind what was past, and to give a fixed Being to the Notions of the Soul, in order to transmit them to Posterity, without any Change or Alteration. Nature methinks prompted Men to it; and yet it was not an easy Matter to invent that rare Secret: Nevertheless it has been found out, and as soon as it was known, 'tis most certain, that Custom received and established it, and there remained necessarily some Steps in the Monuments of People.

Those who give the least Antiquity to the Invention of Letters, ascribe to *Moses* the Honour of that Invention; and even, as if it were too much, they ascribe that Glory to God himself, when he wrote his Laws on Tables of Stone. They ground that Opinion on several Reasons, which we will touch by the bye; and then we will own, that Writing before *Moses* was very little used, and that several Nations have been a long Time without it: And this also has been the Occasion of so much Confusion and Absurdity, in the ancient Histories of those People, in their Religion and Genealogies of their Gods. But all that does not prove that Writing was unknown every where, and that *Moses* had no Memoirs and Collections, which had been kept in the Families of the *Jews*.

Now

Now those who take him to be the Inventor of Letters, say, that he does not cite any Book anterior to his Law; that no mention is made of Letters and Writing, in some Places where they would certainly be mentioned, if they had been known; and that if the Remembrance of illustrious Actions has been preserved, it could not be any otherwise than by Tradition.

But to this it is replied, that *Moses*, Numb. xxi. has mentioned the Book of the *Wars of the Lord*. But this Book is a Thing very much unknown, and has much divided learned Men. St. *Augustin* thought it was neither made by a Patriarch, nor by a Prophet; but that it was written by the Nations themselves which had been overcome, and looked on that War as deserving the Name of * *the War of the Lord*; and that when *Moses* mentions it, he gives it no greater Authority than St. *Paul* has given to a *Greek Poet*, when he has cited a Passage taken out of his Works: But however this would prove that the Book existed before *Moses*.

Moreover, 'tis pretended, that no mention is made of this Art, in such Circumstances as it is probable that they would have committed to Writing, if it had been known. When *Abraham* sends *Eliezer* into *Mesopotamia*, to negotiate *Isaac's* Marriage with † *Rebecca*, no

* Aug. Quest. 42. in Numb.

† Gen. xxiv.

Letter

Letter was given to that faithful Servant. When *Isaac* had the Wells dug, which the *Philistines* had fill'd up, it is only said, that he gave them the same Names, as his Father had given them. And when *Jacob* erected in *Bethel*, the Stone which he had put under his Head, as a Monument of the Vision he had had there, no mention is made of any Inscription. When * *Joseph's* Brethren go into *Egypt*, and when *Joseph* sends for *Benjamin*, neither the Father, nor the † Son do write a Word to one another : And from this Presumption, it is inferred, that they did not write in those Days. But such a Proof don't seem to be convincing.

Job lived before *Moses*, and his History must have been translated before the *Pentateuch*.

'Tis answered, that if it were so, *Moses* would not omit to oppose so great an Example of Patience, to the continual Murmurings of the *Israelites*. 'Tis even supposed, that *Job* was in Misery, when the *Israelites* were yet in *Egypt* ; for no mention is made of the Law, and of the Prophets, neither in *Job's* Speeches, nor in those of his Friends, nor in the Conference God was pleased to have with that holy Man.

But it would be rash to set down the Time, and the Name of the Author of this Book ;

* Gen. xxviii.

† Gen. xlii. xliii.

'tis by meer Guess, that some attribute it to *Isaias*, or some other Prophet, others to *Solomon*, who was accustomed, as it is well known, to Dialogues and Sentences, to whom Poetry was familiar, and to whom the *Arabick* Stile was not unknown, as may be gathered from his Conversation with the Queen of *Saba*.

Nevertheless it cannot be denied, but that *Job* was acquainted with Writing and the several Ways of engraving on Lead and Stone, when he says, *Job* xix. 23. *Quis mihi tribuat ut scribantur Sermones mei in libro stylo ferreo & plumbi laminâ, vel celte sculpantur in cilice.* He would not have spoken so, if Letters had been unknown in his Days; and they must be very antient, since the Apostle St. *Jude* alleges the Book of *Enoch*, who being the Seventh Patriarch after *Adam*, did prophecy before the Flood: *Prophetavit autem & de his septimus ab Adam, Enoch*, Jud. 14. *Tertullian*, de *Hab. mul.* c. 3. presumes, that this Book was preserved in the Ark, or restored by *Noah*, who knew the Contents of it: *Opinor non putaverunt scripturam Enoch ante cataclysmum editam, post eum casum orbis omnium rerum abolitorem, salvam esse potuisse. Si ista ratio est recordentur pronepotem ipsius Enoch fuisse superstitem Cataclysmi Noe, qui utique domestico nomine & hæreditariâ traditione audierat & meminerat de proavi sui penes Deum gratiâ, & de omnibus prædicatis ejus.* 'Tis no Matter that it be Apocryphal; it is enough that it be agreed

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that

that it was, as many others, which are quoted in the Books of *Kings*, of which St. *Austin de Civit. lib. 18. c. 38.* says, that they were not received as Canonical, neither by the *Jews*, nor by the *Christians*, because of their too great Antiquity, lest many Faults might have crept into them by the Succession of Times : *Quorum scripta, ut apud Judaeos & apud nos in autoritate non essent, nimia fuit antiquitas, propter quam videbantur habenda esse suspecta, ne proferrentur falsa pro veris.* And besides, says that Father, we cannot be very sure, that those are the Works of the holy Men whose Name they bear, *Quoniam utrum eorum sint, quorum esse dicuntur, incertum est, & ob hoc eis non habetur fides.* But this, as well as several other Books, being quoted in the Bible, it cannot be denied but that they are very old, and from hence 'tis concluded that the Use of Letters must be of a very great Antiquity.

Josephus Antiquit. Jud. lib. 1. c. 3. says, That we are beholden for the Science of *Astrology* to the Children of *Seth*; and because they had learned from *Adam*, that the World should be destroyed by *Water* and *Fire*, being afraid lest that Science should be lost, before Men had Time to be instructed in it, they were induced to build two Pillars, the one of Bricks, and the other of Stones, on which they engraved the Learning they had acquired, that if the Flood should spoil the Brick Pillar, that of Stone

Stone might remain, in order to transmit to Posterity the Memory of what they had written upon it : And *Josephus* adds, That this Pillar was yet to be seen in *Syria* in his Time. This Fact, 'tis true, is contradicted by several, because 'tis not certain, that the Children of *Seth* did inhabit *Palestina* ; but this proves nevertheless, that even from that Time there was a Sort of Ingravings or Inscription.

Vossius asks also, How the *Israelites* could have read the Law, if Writing had not been known before ? Those who say that *Moses* is the first Author thereof, take their Argument from St. *Austin*, who says, That *Moses* appointed Masters to teach them ; *De Civ. lib. 18. c. 39. Moses in populo Dei constituit qui docendis litteris præessent, priusquam divina legis ullas litteras nossent.* Let the Reader judge, whether such an Answer be convincing against *Vossius* ; and whether those Masters, whom St. *Austin* supposeth to have been appointed by *Moses*, be a Proof that there were neither Letters nor Writing before that Prophet : And as all the People were obliged to read the Law, and even to transcribe it, a great many Masters were wanted to teach every Man, as they are even now necessary, to fit Mankind for the most ordinary Sciences, and the Affairs of less Moment. It may be said only, that the Knowledge of Letters was very rare amongst a Nation, whose chief Occupation was Husbandry, and who hardly

knew any other Way of living than that of Shepherds : For that Knowledge spread but by little and little among Nations.

The most received Opinion among the *Greeks* is, that Letters came to them from the *Phœnicians*. *Herodotus* relates, that the *Ionians* called Books *Diphtheria*, because they were written on Goats Skins, and that they called Letters *Phœnician*, because they held that *Cadmus* had brought them out of *Phœnicia* ; and on this Occasion, I cannot forbear mentioning these fine Verses of *Lucan* ;

*Phœnices primi, famæ si creditur, ausi
Mansuram rudibus vocem signare figuris,
Nondum flumineas Memphis contexere biblos
Noverat, & saxis tantum volucresq; feraq;
Sculptaq; servabant magicas animalia linguas.*

We see thereby, that before the common Way of Writing was found out, the *Egyptians* used to write on Rocks with the Figures of Brutes ; a dumb Sort of Language, whereto they had ascribed arbitrary Significations.

Quintus Curtius, speaking of the famous City of *Tyre*, says also, that the *Phœnicians* found out, and taught the Use of Letters, *Si famæ libet credere, hæc gens litteras aut docuit aut didicit*, *Quint. Curt. lib. 4. cap. 4.* However, Letters were very antient there ; for *Cicero* positively says, that *Greece* had Poets who writ before *Homer* ; and *Eusebius* in his
Evang.

Evangel. præpar. names *Linus*, *Philamon*, *Thamirus*, *Amphion*, *Orpheus*, *Musæus*, *Epimenides*, and several others, whose Works did not come down to us.

Evander of *Arcadia* is supposed to have carried into *Italy*, those Letters which *Cadmus* had taught the *Greeks*; and thereupon * *Petrus Crenitus* in his Poems, *de Honestâ disciplina*, and † *Lilius Giralduſ*, in his History of the *Greek* and *Latin* Poets, relate some Verses that were found in an old M. S. which *Vossius* also mentions;

*Primus Hebræas Moses exaravit litteras,
Mente Phœnices sagaci condiderunt Atticas,
Quas Latini scriptitamus, edidit Nicostrata.*

This *Nicostrata* was the Mother of *Evander*, and 'tis *Livy's* Opinion, Lib. I. *Evander tum ea profugus ex Peloponneso autoritate magis quam imperio regebat loca, venerabilis vir miraculo litterarum, rei novæ inter rudes artium homines.*

Pliny says also, That *Cadmus* gave sixteen Letters to the *Greeks*: That the old *Ionick* Letters were like the *Phœnician* ones, and that those antient Characters are almost the same as those used by the *Latins*. And *Scaliger*, on the Chronicles of *Eusebius*, pretends,

* He lived in 1304, and was Scholar of *Politianus*.

† He lived in the XVth. Century.

that the *Assyrian* and *Phœnician* Letters are the same as the *Samaritan*, which the *Jews* made Use of before the *Babylonian* Captivity.

However, certain it is, that Letters were very antient in *Egypt*. *Didorus Siculus*, lib. I. says, that the *Egyptians* claimed the Invention of them, after they had, during a long Time, made Use of the Figures of living Creatures, to express their Thoughts. *Afferunt Egyptii litteras, astrorum cursus, Geometriam, artesque plurimas abs se fuisse inventas, nonnulli has in Egypto invenisse quemdam nomine Menona affirmant; sed apud eos animalium effigies loco litterarum erant.* Letters must be very antient there, since we learn out of *Tacitus*, *Ann.* II. 60. that *Germanicus* visited the great Ruins of old *Thebe*, where Marks of its former Opulency were yet to be seen in *Egyptian* Letters engraved on Obelisks: *Mox visit veterum Thebarum magna vestigia & manebant structis molibus litteræ Egyptiæ priorem opulentiam complexæ.* One may read on them the Tribute paid by those People, the Weight of Gold and Silver, the Number of Horses and Arms, the Ivory and Perfumes for the Temples, the Taxes laid on Corn and other Goods of Men. An antient Priest was ordered to explain these Inscriptions; for as *Diod. Siculus*, lib. 4. c. 1. observes, None but the *Egyptian* Priests did understand the sacred Letters, *Litteras, quas sacras appellant, soli sacerdotes norunt*; which is an Argument that

that the Knowledge of Letters was brought thither of a long Time. *Valerius Maximus*, lib. 8. 7. also relates, that *Pythagoras*, being in *Aegypt*, did learn there the *Aegyptian* Characters, and that having read the Books of their Priests, he found in them the History of a great Number of Ages: *Pythagoras Aegyptum petit, ubi litteris ejus gentis assuetus, prateriti ævi sacerdotum commentarios scrutatus, innumerabilium sæculorum observationes cognovit.*

But if there was a Time, when Letters were so little known, how could Historians, and *Moses* himself, relate to us what happened in the World before them? The Answer shall be the Subject of several Dissertations.

As for *Moses*, they say that he may have written by an hereditary and domestick Tradition of the Patriarchs; for from *Adam* to him, they reckon but four or five Generations of those same Patriarchs, as it is particularly observed in the Chronology of sacred History; and that then past Events were yet in the Memory of all Men, especially in a Time, when there was no other History which they might read, and that from Father to Son they spoke but of what happened to their Ancestors; and 'tis even likely, that there were some other Writings; and it is visible that the *Book of the Righteous*, mention'd in the Book of *Joshua*, and in the Second of the *Chronicles*, contained the Life of the antient Patriarchs.

We also know, that *Moses* had been brought up amongst the *Egyptians*. He became afterwards their Neighbour : He was not far from the *Chaldeans* and *Assyrians*, who are the three oldest Nations we know of. And so we may say, that he was surrounded with all the Antiquities in the World, and that, humanly speaking, and without the Help of supernatural Proofs, there never was a more credible History than his.

But the Event has proved, that he was a faithful Historian, since we are convinced, that he was also a Prophet inspired by God ; he could then well write Transactions that were past, who has foretold so many Things to come, of which we have seen the fulfilling.

The Prophet *Isaias* speaks of that Revelation of past and future Things, which God had made in Favour of his People, and of which other Nations could have no Knowledge by their Idols. Who is like unto me ? says God, * *Quis similis mei ?* Let him explain, in Order, from the Beginning of the World, what I have done for the Settling of my People ; let him foretel to them the Things to come. *Vocet & annuntiet, & ordinem exponet mihi ex quo constituitur populum antiquum, ventura & que futura sunt annuntiet eis.*

And as we are not surprized to see an Author write down the History of a Town, or of a Na-

* *Es. xliv. 7.*

tion, we must not neither be surprized, that such a Man writ down the History of all the World, since he had the Benefit of a constant Tradition; and that he was also inlightned by that All-seeing Being, who alone did exist before the Foundation of the World, and who only could acquaint Men with the Knowledge of the Time he had created it.

As for the other Historians who are inferior to *Moses*, both in Time and Abilities, though several of them are charged to have written Fables, rather than Histories, at least we come thereby to the Knowledge of the Time, when nothing is related of a Country, and of the Time when Men begun to appear in it: And the Knowledge we acquire by Fable and History, serves to convince us, that the World began to exist, at that Time only which *Moses* relates that it did.

But the Ancients were not so deprived, as it is supposed, of the Helps which are fit for History; for a long while before the Birth of *Jesus Christ*, the Question of the Age of the World was debated by the *Epicureans*, and other Philosophers; and that obliged the several contending Parties to seek for Proofs of its Antiquity, or its Novelty: And Authors of every Nation have proved, That the pretended Obscurity of the first Ages, was not such, but that a great many true Things might have been seen through it.

Now

Now I undertake to prove, That besides the Memoirs which must have been kept of it, whatever Obscurity and Confusion there was in it, has been supplied by authentick Monuments which prove it; that is to say, by Hymns and Songs; by the Buildings of *Labyrinths* and Cities; by the Temples consecrated to the Gods; and by the Offerings made in them; by the Altars, Statues, and Pillars; and by the Intercourse which Nations had one with another. Two or Three of those Articles will make up the historical Matter of this first Dissertation.

First of all, I say, that in the first Antiquity, Hymns and Songs were made use of, to preserve the Memory of great Events. If *Homer* did not sing his Verses, at least they were rehearsed in several Parcels, until they were collected by the Care of *Pisistratus*.

This also proves, that Musick is very ancient. According to *Diodorus Siculus*, lib. 3. and *Plutarch*, *Linus*, *Orpheus's* Brother, was the first who made use of it in *Greece*, and who taught *Hercules* the Art of playing on the *Lyra*. And there are in *Stobæus* some Verses ascribed to him; and *Dionysius Halicarn.* lib. 1. gives that Glory to *Carmenta* amongst the *Latins*.

That Author speaks also of the Verses which were called, *The Hymns of the Country*, and which were sung to the Praise of great Men; and he adds, that it was a common Practice at *Athens*, and at *Rome*, in Triumphal and Funeral-Pomps.

Lycurgus

Lycurgus sent for a * Poet of the Isle of *Crete*, to come to *Sparta*, in order to soften, by his Verses, the People who were yet wild and savage. And 'tis very likely, that in order to preserve the Remembrance of important Affairs, Songs, as *Horace* says, were at first used. Hence it is, that they are said to sing, instead of to speak.

They sung Laws before they wrote them, and *Aristotle*, in his *Poet. Art.* says, that the *Agathyrsi*, a Nation in *Europa Sarmatia*, practis'd it so in his Time. In *Arcadia*, the Children themselves were taught to sing the Laws of the Country, and the Praises of Heroes. It was no Shame to be ignorant of Learning, but it was most shameful not to know those Songs.

The same Custom was practis'd in the *East*: And we read, that the *Magi* sung the Hymns of the Nation, during *Darius's* March.

The most ancient Customs, which the first Historians have transmitted to us, in this respect, perfectly agree with the Books of *Moses*, who in his plain Narration, acquaints us with the Conduct of the first Men. There is no considerable Event, but what is celebrated by a Song. † Musick is made use of in it, and the *Israelitish* Women make up a *Chorus*, to an-

* Plutarch. cur Pyth. ore carmina non reddat.

† Gen. x. 9. xxii. 14.

swer to *Mary*, Sister to that illustrious Law-giver. He makes use of this Way of * speaking, not only in his Songs, but in the Predictions he left to the *Hebrews* before his Death; and in like manner, he has made use of the most sublime Versification before *Homer*, and all that, without doubt, † That the Remembrance of it might not be lost.

This is an Help for Historians, which is by so much the surer, that what is expressed in Verses, is more easily retained; and that even Ballads may be an useful *Epocha* to History.

'Tis also likely, that the first Care of Men, was to seek after the Conveniencies of Life, They built Houses, to secure themselves from the Injuries of the Weather. A natural Inclination for Society, caused them to come near one another, and consequently, to form Societies, and to build Cities; and being necessitated to secure themselves from wild Beasts, and especially from the neighbouring Nations, they had those Towns surrounded with Walls, Towers, and Ramparts.

Even in *Abraham's* Time, there were Towns in the Land of *Canaan*, and as many Kings as Towns; and when he goes into *Egypt*, he finds that huge Country already under the Authority of a Monarch, whose Power and

* Num. xxi. 14. 24.

† Ibid. Sevil. lib. orig. c. 18.

Dignity may be guessed at; by the Honour he raised *Joseph* to; by the Measures that Minister took to present him his Father, and Brothers; and by the Peoples Submission to his Orders, notwithstanding the Plagues that Nations was afflicted with, for the Sake of the *Israelites*. All these Consequences may be drawn from the last Chapters of *Genesis*, and from the first Chapters of *Exodus*.

Even then, they erected Buildings which were wonderful, both by their Form and Largeness. *Pliny* * speaks with Admiration of the first Labyrinth, that was built in *Egypt*, in the Isle of *Mæris*, by King *Pete-Sucus*, or *Tithoes*, according to the Calculation of the *Egyptians*, 14600 Years before the Time in which he wrote; and it was so wonderful a Work, that he calls it, *Portentosissimum humani impendii opus*. It was, according to *Pomponius Mela*, *lib. 1. c. 9.* a vast Inclosure, which contain'd Three thousand Buildings, amongst which there were twelve Royal Houses: And *Pliny* thinks, that on the Model of that Labyrinth, *Dædalus* erected that of *Crete*, though he had imitated but the hundreth Part thereof; and 'tis of that *Ovid* says, *Metam. lib. 8.*

*Dædalus ingenio fabræ celeberrimus artis
Ponit opus, turbatque notas & limina flexu
Ducit in errorem variam ambage viarum.*

* *Plin. lib. 36. c. 12.*

Herodotus,

Herodotus, lib. 2. likewise spoke of it, and *Strabo* after him.

There was also another at *Lemnos*, remarkable for the Magnificence of its Pillars. *Pliny*, lib. 5. c. 9. thinks, that it was built by three Architects, whom he calls *Zmilus*, *Rhodus*, and *Theodorus*, and he says, that some Remains of it were yet to be seen in his Time. There was also * another in *Italy*, which *Porfenna*, King of *Hetruria*, had appointed for his own, and Successors Grave.

The most ancient Historians speak of *Thebe* in *Egypt*, famous in *Homer*, for its hundred Gates. *Strabo* says, That in his Life-time, there were yet to be seen some Towers and Obelisks of it; and we have seen above, what *Tacitus* says of it in *Germanicus's* Voyage.

The Town of *Memphis* was also one of the most Illustrious, and the Residency of the Kings of *Egypt*. *Old Cairo* was built on the other side of the *Nile*. *Tanis*, or *Tsoan*, was also in this Country; and who can doubt, but that such famous Towns, were but as so many speaking Books, that published their own History?

When *Moses* in the 10th Chapter of *Genesis*, makes an Enumeration of the People who came from the Posterity of *Noah*, who were, to be sure, the Stock of all the Nations in the World, he mentions several Towns, and espe-

* *Strabo*, lib. 17.

cially *Babylon* and *Nineveh*, as being of the remotest Times; and all Histories are agreeable to this.

Nimrod begun to be powerful on the Land, and gave Room to the Proverb, *Quasi Nimrod robustus venator coram Domino*; that is to say, He was a proud and ambitious Man, who was the first that usurped a tyrannical Domination; for he gathered together a Troop of young Men, under the pretence of hunting wild Beasts; and having hardened them to Labour, and accustomed them to use the Bow and Arms of those Times, he formed an Army of them, wherewith he subdued a great many People, who being accustomed to a long Peace, were surprized by an unlooked-for Violence.

He began to reign in the Country of *Babylon*; *Fuit autem principium regni ejus * Babylon*; wherefore several imagined, that this *Nimrod* was *Belus*, who built the Tower of *Babel*. He was also the first Author of Idolatry, though *Tertullian* says, it had begun before the Flood; but *St. Cyrillus contr. Jul. l. 1.* and several others, thought that it was actually established but in the Time of *Belus*, who after he had been a downright Robber, would have himself to be a God: And his Son *Ninus*, supporting so impious a Design, erected for him,

* After the Dispersion of People by the Division of Language, in the Year 184.

under the Name of *Bel* or *Baal*, a magnificent Monument, and a sumptuous Temple, and ordered his People to worship him. It does even appear, that most of the Idols, especially in the Eastern Parts, took their Names from that, as *Beelzebut*, *Beelphegor*, *Baalberith*, *Baalzamet*, &c.

Ninus surpass'd his Father in Cruelty, and the Extent of his Conquests, and carried his Dominions as far as the *Indies*. He built *Babylon*, which some say *Semiramis* finish'd. He also built *Nineveh*, to which he gave his Name, and afterwards made it the Seat of his Empire.

Others say, that the Country of *Babylon* being not of *Cham's* Children, from whom *Nimrod* descended, but of the Children of *Sem*, *Affur*, who was his second Son, could not brook *Nimrod's* Tyranny; and so departed from *Babylon*, and began to build *Nineveh*, as it is said, *Gen. x. 11. De terrâ illâ egressus est Affur, & edificavit Niniven*; but *Ninus* having conquered it from the Children of *Sem*, prodigiously aggrandized it, and made it the Capital of his Dominions. Such great Events could never be forgotten.

And the rather, because of the prodigious Bigness of those two Cities, some * say, that *Babylon* was 360 *Stades* in Compass, and had 250

* *Diod. lib. 2. 16. Bochart lib. 1. c. 12.*

Towers. Its Walls, according to *Strabo*, were thirty-two Feet broad, fifty high, and its Towers sixty. And some have even related, that when it was taken by *Cyrus*, there were some Places in the City, where they heard nothing of it 'till Three Days after.

Isaias speaks of it as of the Wonder of People. *Nebuchadnezzar* had then some Reason to make it the Subject of his Vanity; for, as the Prophet *Daniel* speaks, he had been the Restorer thereof: *Nonne hæc est Babylon magna, quam ego ædificavi in domum regni, in robore fortitudinis meæ, & in gloria decoris mei?* Dan. iv. 30.

When *Seleucus* built *Seleucia*, and transferred thither the Inhabitants of *Babylon*, he did not destroy, as *Pausanias Lib. 8. de Arrad. Lib. 4. de Messen.* says, either the Walls of the Town, or the Temple of *Belus*. And those Monuments being yet subsisting, one could not be ignorant of the various Chances of that magnificent Town.

Nineveh was fourteen Leagues in Compass: and we read in *Jonas* iii. 3. that it had long been a Journey of three Days: The King of it, in those Days, was, according to some, *Phul*, *Sardanapalus's* Father, whom *Manahem* brought into the Land of *Israel*, with a great * Army in the 771st Year before J. C.

* II Kings xv. 19.

By these great Cities one may judge of the Labour of the first Men, and how many other Towns there were in the Countries that were inhabited. The Scripture mentioneth *Ur* in *Chaldea*, and also *Caran*, mentioned by *Ammian. Marcellin.* And *Appian* says, that a *Roman* Captain retired into a Town of that Name, after the Defeat of *Crassus*.

The Country called *Artacena*, by *Strabo*, *Lib. 16.* is, according to *Scaliger*, that which *Moses* calls *Arei*, and 'tis perhaps that which is mentioned by *Tibull. Lib. 4. Ardet Aratis velut unda per hospita campis.*

By this Skill of Men, in erecting such prodigious Buildings, we may judge of the City of *Tyre*. It must be a large and strong Place, since it appears by the Book of *Judges, ch. xviii. 7.* that it was a common Proverb, That the Inhabitants of *Lais* thought themselves as safe within their Town, as the *Sydonians* within theirs.

After *Sydon*, *Tyre* was the ancientest Town in *Phœnicia*. There were two, the first was destroyed by *Nebuchodonosor*, and the other by *Alexander the Great.* *Quintus Curtius, Lib. IV. Cap. 4.* says, That the antient Origin of this, and the frequent Changes of its Condition, render'd it famous : That it was built by *Agenor*, and that it had been a long while Mistress, not only of the neighbouring Sea, but of all the other Seas, where its Ships had sailed. He mentions also the *antient Tyre* ;
for

for when *Alexander* told the Ambassadors of the *Tyrians*, that he had a Mind to go into the *New-Tyre*, in order to sacrifice to *Hercules*, they answered him, That there was a Temple of *Hercules* out of the Town, in a Place called *Old Tyre*, and that he might Sacrifice there. *Alexander*, offended at such an Answer, besieged the *New Town*, and destroyed it by Fire and Sword.

Carthage, surnamed the *Great*, was another fine and large City : It was, according to the most received Opinion, a Colony of *Tyrians* ; and * *Polybius* confirms it, saying, That the *Carthaginians* every Year sent some Persons to *Tyre*, to offer Firstlings to the Gods of the Country.

It was so antient, that *Appian*, in the History of the *Punic Wars*, says, that the *Phœnicians* built it fifty Years before the Taking of *Troy*, and *Eusebius* approves that Opinion in his *Chronicles* : But Authors differ very much concerning its Foundation. *Paterculus* says, it happened 65 before the Foundation of *Rome* ; *Justin*, 72 ; *Livy*, 93, Years, i. e. 296 before the Taking of *Troy*, and says, That it was destroyed the 607th Year of *Rome*. Its Ruins are yet to be seen, at 15 Leagues from *Tunis*.

Josephus, following *Menander*, who in his History of Greek and Barbarian Kings, had

* *Polyb. Leg. 114.*

spoke of those of *Tyre* and *Phœnicia*, pretends, that this Town was built in the 144th Year after the Foundation of *Solomon's* Temple had been laid, which happen'd 368 Years before *J. C.*

What they ascribe to Queen *Dido*, is groundless; and if she, being Widow of *Psychæus*, and ill used by her Brother, left her own Country and retired with some Malecontents into *Africa*, she did at most but build the Fortrefs *Byrsa*, in the Place where is now a Tower called by the Christians *Rocca di Mastinaces*, and by the *Africans* *Almenara*.

The Town of *Cyrene* in *Africa* was also famous for *Battus* its Founder, for its Poets and Philosophers: And so there were on every Place sure Signs of past Events.

The City of *Tyre*, which was again founded under *Alexander's* Auspices, did soon, according to *Justin, Lib. 18. cap. 4.* recover her first Condition, and then the *Tyrians* sent into *Africk* a great Number of young Men, who founded *Utica*. At the same Time, the Inhabitants of *Peloponnesus* being driven away by the Posterity of *Hercules*, founded *Megara*.

We can't doubt but that these Towns and several others, whose Enumeration would be needless, had some sure Marks of their Origin, either by Tradition, or by the Worship render'd to their Founders, or by the Genealogy of their Kings; for Historians do agree with *Moses*, in saying, That there were as many different States,

as there were Towns, because, perhaps, the Earth being less Peopled, each Town had a larger Territory. *Pliny, lib. 5. 35.* reckons nine Kingdoms in the Isle of *Cyprus* only; and speaking of *Ibrus*, he says, that there were Six-score Governments, which were so many Kingdoms. When, says he, Men had nothing of their own, they lived void of Fear and Envy, and had no other Enemies but wild Beasts. He who had the greatest Skill and Strength to drive them away, was Master of the rest, and Men afterwards made War with one another, as they did before on wild Beasts.

Wherefore what is related concerning the Greatness and Solidity of the first Buildings, would exceed all Belief, if the small Remains of them did not excite the Admiration of our greatest Architects: And the Account *Herodotus, lib. 1.* gives us of a Building cut out of the Rock, which *Amasis* King of *Egypt* removed out of the City *Elephantina*, would be looked upon as fabulous, if the *Pyramids*, that are yet to be seen, and the *Obelisks* which the Emperors transported to *Rome*, did not oblige us to believe those Relations.

Pausanias says, That in his Time they yet beheld at *Athens* the Model of the Temple of *Minerva*; and *Vitruvius* adds, that the *Areopagus* did yet exist when he wrote.

The Town called *Media* by *Xenophon*, which was not far from *Babylon*, had Brick Walls joined with Bitumen; and those Walls were

20 Feet broad, and 100 Feet high. Those of *Laryssa* near the Banks of *Tygris*, were 25 Feet broad, and 100 high. In the same Place, says that Historian, there was a *Pyramid* which was an Acre of Land broad, and Two high. They inclosed whole Countries with strong Walls, to secure themselves from the Irruptions of their Enemies, and *Dercyllides* General of the *Lacedæmonians*, who lived 400 Years before *Christ*, had the *Isthmus* of the *Thracian Chersonesus* shut up by a Wall 37 *Stades* long.

Pausanias says, that the Stones, wherewith *Corinth* in *Morea* was built, were prodigiously large, and the Ruins of it were yet to be seen in his Time. When the *Athenians*, according to *Themistocles's* cunning Device, imposed on the *Lacedæmonians*, in order to build precipitately the Harbour of * *Pyraeus*, they did not use any Mortar, but large massy Stones, which they fastned together with Iron and Lead.

By all this we see, that such solid Works were able to last during several Ages, in spite of the Injuries of the Weather, and the Ravages of War. *Strabo* and *Vitruvius* relate that they saw some, and so there is no doubt, but that they were strong Proofs of the Veracity of all those who writ of them, as well of that of *Moses*, as of the Historians who came after him.

To the *Towns* may be added *Temples*; for Men having lost the Knowledge of the true

* *Thucyd. lib. 1.*

God, observed that the Influences of the Sky were serviceable to the Fertility of the Earth, and, therefore, soon exalted the *Sun*, and even the *Earth* itself into Gods. They also thought to honour the Memory of those Men who had been famous for building Cities, or for inventing Things useful and necessary to Life. And so either by Thankfulness, or by Fear, or by Self-interest, as we have related, about the Time of *Nimrod* and *Ninus*, they erected Temples to their Honour, formed a religious Worship, and instituted Feasts and Sacrifices.

There were famous Temples in *Egypt*, and we have already spoken of that at *Babylon*, which *Seleucus* did not destroy. That of *Ephesus* was the most Illustrious in *Asia*. Some say that it was founded by the *Amazons*, but *Pausanias* says that it was older, and that it was reported to have descended from Heaven, together with the Idol of *Diana*.

Greece was also full of Temples. There was the Temple of *Apollo* at *Delphos*; that of *Minerva* at *Athens*; that of *Ceres* at *Eleuses*; that of *Jupiter* at *Sparta* and *Elis*. *Pliny* relates that amongst the *Arabians*, the sole Town of *Sabota* contained 60 Temples within its Precincts. In *Italy*, the Greek Superstition had erected many in that Part called *Magna Græcia*; and though the ancient *Gauls* performed their religious Worship in the thickest Woods, yet it is visible they had some Temples, since *Gregory of Tours*, lib. 1. c. 30. says, That in *Avergne*,
Crocus

Crocus King of the *Germans*, set one on Fire called *Vasso*.

Yet the Temples were seldom polluted; for Politicks, as well as Religion, did equally contribute to render those Monuments sacred and inviolable, either to avert the Horror of Mankind, or the Wrath of the Gods. For the *Perians* having destroyed the Temples of *Greece*, drew on themselves the everlasting Hatred of that Nation; and they were built up again, when *Alexander the Great*, by his Conquests in *Asia*, could send back into *Greece* and *Egypt*, the several Ornaments its Temples had been deprived of.

Then, if we go up as high as the Time of *Alexander*, and of the *Ptolomæi*, and even higher; and if we consider the Condition the World was in when *Moses* wrote, we cannot doubt but that it was pretty well known, if not by written Relations, at least by the Tradition of so many Towns and Temples, which had such sure Marks of their Foundation and Duration; and so Religion itself, how false soever it was, afforded Memoirs for the History of the World.

From all this, I think myself authorized to infer, That the first Historians did not write at Random, and that Fable itself has led us to the Knowledge of Truth.

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